

ROYAL HIBERNIAN MILITARY SCHOOL (DUBLIN).

RETURN to an Order of the Honorable The House of Commons,
dated 4 August 1871;—*56r*,

- COPIES " of the Widow *Bridget Murnane's* PETITION in September or October 1870,
for the Admission of her Sons *John and Hugh* into the ROYAL HIBERNIAN MILITARY
SCHOOL, DUBLIN: "
- " Of the CERTIFICATES of BAPTISM in the Roman Catholic Church of said Boys, at
Delhi and Cape of Good Hope respectively: "
- " Of the CERTIFICATES of BAPTISM of said Children in the Protestant Church of Saint
Michael's, Dublin, on which they were Registered as ' Protestants ' when admitted: "
- " Of WRITTEN STATEMENT or MEMORANDUM of Widow *Murnane's* wishes relative to the
Religious Faith in which the said Children were to be Registered, as supplied in February
1871, on the occasion of the said Children's actual Admission to the said School: "
- " Of CORRESPONDENCE between the Roman Catholic Chaplain, usually styled Roman
Catholic Officiating Clergyman, and the Commandant, President, and Governors,
relative to the Religious Registration of said Children: "
- " Of CORRESPONDENCE between the same, relative to the Dismissal of the Catholic
Chaplain by Resolution of the Board of Governors on the 15th June 1871: "
- " Of CORRESPONDENCE between the Widow *Murnane* and the Commandant relative to
her wishes regarding the Change of the Religious Registration of her Children in said
School, and of her Declaration made before a Magistrate on the 6th day of March 1871: "
- " And, of CORRESPONDENCE between His Eminence Cardinal *Cullen* and the Com-
mandant relative to the Dismissal of the Catholic Chaplain."

(*Sir John Gray.*)

Ordered, by The House of Commons, to be Printed,
21 August 1871.

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ROYAL HIBERNIAN MILITARY SCHOOL (DUBLIN).

— No. 1. —

COPY of the Widow *Bridget Murnane's* PETITION in September or October 1870,
for the Admission of her Sons *John* and *Hugh* into the ROYAL HIBERNIAN
MILITARY SCHOOL, DUBLIN.

14 September 1870.

To the Right Honourable and Honourable the Governors of the Royal Hibernian
Military School.

The humble Petition of *Bridget Murnane* in behalf of *John* and *Hugh Murnane*,
aged 10 years 2 months, and 8 years 2 months respectively,—

Showeth,

THAT the said *John Murnane*, aged 10 years 2 months, and *Hugh Murnane*, aged 8 years
2 months, are the lawful children of *Private John Murnane*, soldier of Her Majesty's
88th Regiment of Foot.

Name of every Child.	Age.		Date of Birth.	Date of Baptism.
	Years.	Months.		
<i>James</i> - - - -	14	-	10 September 1854.	
<i>John</i> - - - -	10	2	24 June 1860.	
<i>Hugh</i> - - - -	8	2	10 May 1862.	
<i>Bridget</i> - - - -	5	7	3 January 1865.	
<i>Mary</i> - - - -	3	5	12 April 1867.	

Your petitioner, therefore, humbly prays that the said *John* and *Hugh Murnane* may be
admitted into the Royal Hibernian Military School; and, if this prayer be granted, your
petitioner hereby agrees that the said boy shall remain in the Hibernian School as long as
the Governors thereof shall think fit; and that, when of a proper age, he shall be disposed
of at their discretion, as an apprentice or servant, or placed, with his own free consent, as
a private soldier in the regular army, in such corps as it may be the Queen's pleasure to
appoint.

(signed) *Bridget* ^{Her} _{Mark.} *Murnane*.

CERTIFICATE AND RECOMMENDATION.

I HEREBY certify that, from parchment certificate, it appears that *Private John Murnane*
served in Her Majesty's 88th Regiment of Foot, 10 years and 114 days, during which
time he conducted himself latterly as a good soldier; that he was discharged at his own
request; termination of limited engagement, 13th January 1865.

(signed) *G. Maxwell*,
Colonel Commanding 88th Regiment.

I ALSO certify, to the best of my knowledge and belief, that the circumstances detailed
above are truly stated by petitioner, as shown by parchment certificate of discharge, signed
by Colonel Maxwell, Commanding 88th Regiment.

(signed) *R. Wyndham*,
Lieutenant Colonel.

PAPERS RELATING TO THE

Mrs. Murnane, Widow of Private Murnane, 88th Regiment.

Royal Hibernian Military School, Phoenix Park,
Dublin, 9 September 1870.

In reference to Colonel Mayow's letter of the 8th instant, I have to acquaint you that upon your signing the petition, &c. &c., and answering the undermentioned questions, in a full and satisfactory manner, a further reply will be given to your application.

(signed) *H. Wynyard,*
Lieutenant Colonel Commanding.
For Secretary and Adjutant.

The father's Christian and surnames - -	John Murnane.
Mother's Christian name - - - -	Bridget.
Number of children in the family now living	Five.
Date of the father's enlistment - - -	20th September 1861.
Regiment to which the father belongs, or did belong.	88th Foot.
Period of service - - - - -	16 years and 114 days.
Whether now serving in the army - -	Deceased.
If the father has ceased to serve, the date of his discharge, and rate of pension.	12th January 1862.
In what manner he is employed - - -	Deceased.
If the father is dead, when and where did he die.	Cape of Good Hope, from fracture of the skull, received on duty as a policeman, 20th June 1869.
If the mother is living, in what manner she is employed.	No employment; taking charge of family.
If the mother is dead, when and where did she die.	
When and where the parents married - -	8th May 1852. Isle of Wight.
"Parolement discharge" and "pensioner's instructions" to be forwarded, or state to whom they were given, and when.	Enclosed.
State the actions the father served in - -	Alma, Sebastopol, Inkerman medals; Kalper, East India, and reported for good conduct in action at Salaspesa.

(signed) *Bridget* ^{Her} ^x *Murnane,*
Wife.

— No. 2. —

COPY of the CERTIFICATES of BAPTISM in the Roman Catholic Church of said Boys, at Delhi and Cape of Good Hope respectively.

BAPTISMS.

No.	Date of the Child's Birth.	Place and Date of the Child's Baptism.		Christian Name of the Child.	Parents' Names.		Rank of the Father.	Name of the Chaplain or other Clergyman by whom the Ceremony was performed.
		Place.	Date.		Christian.	Surname.		
46	24 June 1860	Delhi	23 July 1860.	John	John and Bridget.	Murnane	Private 88th Foot.	Rev. W. Keegan, c.s.

(Certified true extracts.)

Commanding Officer,
(signed) *W. T. Betts, Major.*

Adjutant,
(signed) *John J. Davidson, Lt.,*
Acting Adjutant 88th Regiment.

(A true copy.)
(signed) *F. B. Spandy, Lieut. Colonel,*
Secretary, Royal Hibernian Military School.

Station, Fort George, Gosport.
Date, 7 January 1871.

EXTRACT FROM the Baptismal Register kept at St. Mary's Roman Catholic Cathedral, Cape Town, Cape of Good Hope.

Hugh Marnane, born of {John Marnane, and
Bridget Hayes,
on the 15th May 1862, was baptised according to the rites of the Roman Catholic Church on 16th June 1862, by Rev. G. G. Quaid,

The sponsors being {Patrick Barnes,
Annus Ryan.

St. Mary's, Cape Town,
16 April 1871.

(signed) A. J. O'Reilly, Min. Ap.

Royal Hibernian Military School,
12 August 1871.

No original certificate of this boy's baptism in the Roman Catholic Church has been seen here. This shows a copy of the copy which accompanied his Eminence Cardinal Cullen's letter of 31st May 1871, to his Excellency the Lord Lieutenant.

H. Wyngard,
Lieutenant Colonel Commanding.

— No. 3. —

COPY of the CERTIFICATES of BAPTISM of said Children in the Protestant Church of Saint Michan's, Dublin, on which they were Registered as "Protestants" when admitted.

BAPTISM.

Registry, St. Michan's Parish, Dublin.

This is to certify that John, son of John Marnane, late 88th Regiment of Foot, and Bridget his wife, born on 24th June 1860, was baptised on the 10th day of November 1870, as appears by an entry thereof in the registry of this parish.

Given under my hand this 14th day of November 1870.

(signed) Marcus J. Bickerstaff,
Curate of St. Michan's, Dublin.



(True copy.)
(signed) F. B. Speedy, Lieut. Col.,
Sec. R.H.M.S.

In furnishing these copies of baptismal certificates, the Governors wish it to be understood that the certificates did not affect the religious registration of the boys in this School, as implied by the words, "on which they were registered as 'Protestants' when admitted," in the House of Commons Order.

(signed) H. Wyngard, Lieut. Col. Commanding,
R.H.M.S.

BAPTISM.

Registry, St. Michan's Parish, Dublin.

This is to certify that Hugh, son of John Marnane, late 88th Regiment of Foot, and Bridget his wife, born on 10th May 1862, was baptised on the 16th day of November 1870, as appears by an entry thereof in the registry of this parish.

Given under my hand this 14th day of November 1870.

(signed) Marcus J. Bickerstaff,
Curate of St. Michan's, Dublin.



(True copy.)
(signed) F. B. Speedy, Lieut. Col.,
Sec. R.H.M.S.

In furnishing these copies of baptismal certificates, the Governors wish it to be understood that the certificates did not affect the religious registration of the boys in this School, as implied by the words, "on which they were registered as 'Protestants' when admitted," in the House of Commons Order.

(signed) *H. Wynyard, Lieut. Col. Commanding,
R.H.M.S.*

— No. 4. —

COPY of WRITTEN STATEMENT or MEMORANDUM of Widow Murnane's wishes relative to the Religious Faith in which the said Children were to be Registered, as supplied in February 1871, on the occasion of the said Children's actual Admission to the said School.

I beg to state that I wish and desire that my son, John Murnane, be brought up in the Protestant faith of the Churches of England and Ireland.

Witness my hand this 2nd day of February 1871.

(signed) *Bridget* ^{Her} ^x *Murnane.*
Mark.

I beg to state that I wish and desire that my son, Hugh Murnane, be brought up in the Protestant faith of the Churches of England and Ireland.

Witness my hand this 2nd day of February 1871.

(signed) *Bridget* ^{Her} ^x *Murnane.*
Mark.

— No. 5. —

COPY of CORRESPONDENCE between the Roman Catholic Chaplain, usually styled Roman Catholic Officiating Clergyman, and the Commandant, President, and Governors, relative to the Religious Registration of said Children.

Reverend *J. Leonard* to the Right Honourable Earl Spencer, &c.

Saint Mochta's, Clonsilla, County Dublin,
14 March 1871.

May it please your Excellency,

On the part of the Very Reverend Canon Brock, parish priest of St. Paul's, Arran-quay, Dublin, and with the sanction of his Eminence the Cardinal Archbishop, I have the honour to bring under the notice of your Excellency a rather extraordinary case of religious registration as Protestants, of the two brothers named John and Hugh Murnane, on the occasion of their admission into the Royal Hibernian Military School, of which institution your Excellency is President.

The facts of the case are as follows:—The father was at all times a Catholic; the mother was a Protestant in early life, but became a Catholic before her marriage. They caused their five children to be baptised in the Catholic Church. The father served 10 years as a private in the 88th Regiment; he then joined the police force at Cape Town, South Africa. Shortly before his death he expressed a wish to his wife "that if anything happened to him she should go to Dublin, and get his boys into the Hibernian School, and enter them as Catholics." She promised him she would do so. He was struck with a stone whilst on duty on the following day, and died from the effects of the wound two days afterwards. The widow, with two boys and two girls, aged 10, 8, 5½, and 3½ years respectively, left Cape Town for Dublin, to carry out what she looked upon as the dying request of her husband. She landed in Dublin with 4s. and her four children. She

She communicated with an official in Dublin Castle, who communicated with the Hibernian School authorities relative to the admission of her two boys. Every facility was afforded her to go out to the institution. She was even desired to take a cab, and that the cab would be paid for at the School. She did so. Some official of the School filled up the "petition." She gave the necessary information, and she expressed a wish to have her children admitted as Catholics. No difficulty was raised to their admission as such, except that she had not their certificates of baptism. John's certificate was procured from England, but Hugh's should be written for to the Cape of Good Hope. The widow could not write, nor had she the money to pay the postage. That difficulty was overcome by some official of the School undertaking to write to the Cape for the certificate.

All went on well as long as this poor widow had clothes to pledge to feed herself and children. Her stock of clothing was soon exhausted, and she was obliged to place her children in the North Dublin Union, where she caused them to be registered as "Roman Catholics." This occurred in September last.

Early in the following November she felt anxious to remove her children from the workhouse to the Hibernian School, and understanding that the only obstacle was the want of a certificate of baptism for Hugh, she took her two boys John and Hugh to St. Michael's Protestant Church, Dublin, and caused them both to be baptised, and got certificates of their baptism duly signed and stamped. They were kept out of the North Dublin Union for six days after their baptism, and strange to say they were re-registered as Roman Catholics by their mother when re-admitted to the union on the 16th November last.

The next step in their career occurred early last month, when we find them in the Royal Hibernian Military School duly registered as Protestants; and before they are many days there they appear to have made it known to many of their companions, that they were always reared as Catholics until the day they entered the institution. This is the mother's own account of herself, her husband, and her children, and it appears to be borne out by documentary and other evidence.

She has always felt that she did wrong in putting her children into the Hibernian School as Protestants. She admits that it has cost her many sleepless nights; that she knows her children are not happy; "that they could not be happy;" "that they did not give their consent to be registered as Protestants;" that she regrets what she did, and she made the accompanying declaration before a justice of the peace of the city of Dublin.—(The Declaration itself is herewith forwarded.)

I have now to request on the part of the Very Reverend Canon Brock, the pastor of these two children, as well as on my own part, as representatives of this destitute and I may say unhappy widow; 1st. That your Excellency will cause this case to be fully investigated; and 2ndly, that should the statements of this widow be substantially correct, your Excellency will cause the registration of these children to be altered, so that for the future they may be brought up in that church in which they were baptised when infants; in which they were always reared; in which their father requested their mother to cause them to be entered in the Royal Hibernian Military School; in which their mother promised to have them entered, and in which she now wishes to have them registered, as the accompanying declaration testifies.

That your Excellency may be able to form a correct opinion on the all-important question of the religious registration of these children, I would respectfully suggest that your Excellency be supplied with the original "petition" for admission, and with the originals of all correspondence relative to the application for admission, or actual admission of these children.

In conclusion, I have only to add that, as far as Canon Brock and I are concerned, we shall be both most happy in furnishing any further particulars at our command to your Excellency.

I have, &c.

To His Excellency
The Right Hon. Earl Spencer, K.G.,
President, Royal Hibernian
Military School.

(signed) John Leonard,
Catholic Chaplain,
Royal Hibernian Military School.

County of the City of Dublin, to wit:

I, BRIDGET MURRANE, alias Hayes, widow of John Murrane, of the 88th Regiment, do solemnly and sincerely declare that I promised my husband to rear my children in the Roman Catholic faith. I regret that I and them registered as Protestants on the list of the Hibernian School, Phoenix Park, Dublin, and I hereby authorise the Very Rev. Canon Brock, P.R., St. Paul's, Arden-quay, and the Rev. John Leonard, A.C., Clonsilla, to have the registration of my children, John and Hugh Murrane, altered, so that, for the future, they will be entered in the institution not as Protestants, but as Roman Catholics; and I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of an Act made and passed in the fifth and sixth year of the reign of his late Majesty (5 & 6 Will. 4, c. 62), intitled "An Act to repeal an Act of the present Session of Parliament, intitled 'An Act for the more effectual Abolition of Oaths and Affirmations taken and made in the various Departments of the State, and to substitute Declarations in lieu thereof, and for the more entire Suppression of Voluntary and Extrajudicial Oaths and Affidavits, and to make other Provisions for the Abolition of unnecessary Oaths.'"

(signed) Bridget ^{Her} x Murrane.
Mark.

Made and subscribed before me this 6th day of March 1871.

(signed) James Deffy, J.P.

The Under Secretary to the Reverend J. Leonard.

Dublin Castle, 2 May 1871.

Sir,

I AM directed by the Lord Lieutenant to inform you that his Excellency has caused full inquiry to be made into the case of the boys John and Hugh Murrane, of whose registration as Protestants, on their admission to the Royal Hibernian Military School, you complained in your letter of the 14th ult.

The result of that inquiry is, that the boys appear to have been properly admitted and registered, their mother having produced certificates of their baptism as Protestants, and the children acquiescing. She afterwards petitioned that the register might be altered, but his Excellency considers that it would be inexpedient to comply with such an application, which is in direct contravention of the rules of the School.

If Mrs. Murrane now objects to her children being brought up in the religion in which she previously voluntarily registered them, her course is to apply, through the Commandant, to the Governors of the School to be allowed to remove them.

His Excellency regrets to find that you appear, in the present case, to have transgressed a most important rule of the institution, as to which you had been previously cautioned in another case, by entering into conversation, on a religious subject, with a boy belonging to the institution whose name was not on the list of Roman Catholic boys, and that having been charged by the Commandant with such violation, you declined to offer to him the immediate explanation he demanded in the execution of his duty.

It cannot but be most detrimental to the discipline of any institution if an officer is to be permitted to refuse explanation officially demanded from him, and his Excellency trusts that you will, on consideration, see the propriety of at once affording a full explanation to the Commandant, in accordance with the request contained in Colonel Wynyard's letter of the 23rd of March last.

I am to add that this case is another illustration of the manifest inconvenience of the course hitherto adopted by you of making direct appeals to the Government, instead of seeking redress from the legitimate authorities of the School on matters directly coming within their cognizance and jurisdiction, the practice being further in direct contravention to the following 14th rule of the School, viz.:—"Officers or others, when they have any representation to make respecting on the management of the Royal Hibernian Military School, or any matter connected with its discipline, will adhere to the established principle of reporting to the Commandant; and should his decision thereon not be considered satisfactory, the subject will be referred, through the Commandant, to the Board of Governors."

His

His Excellency requests that in any future complaint you may have to make in your capacity as Roman Catholic chaplain, you will strictly adhere to the above rule, and he must decline to notice any further direct communication from you in contravention to it.

To the Rev. John Leonard,
 &c. &c.

I have, &c.
 (signed) T. H. Burke.

Reverend J. Leonard to the Under Secretary.

St. Mochta's, Clonsilla, County Dublin,

24 May 1871.

May it please your Excellency,
 I HAVE the honour to acknowledge the receipt of the letter of Mr. Burke, the Under Secretary for Ireland, written by direction of your Excellency in reference to the religious registration of John and Hugh Murnane, lately admitted into the Royal Hibernian Military School.

In the first place I have to thank your Excellency for the inquiry which you caused to be made in their case; and secondly, I meet respectfully and humbly ask your permission to make some remarks on the above communication, as it is one which if left unnoticed may affect the eternal interests, not of these two boys only, but of many other Catholic children, and because I really feel quite confident that when your Excellency fully understands the case by hearing some additional evidence regarding it, you may be induced to reconsider the decision you have come to in the matter, and admit that the religious registration of these children as Protestants is not only a very exceptional case, but one which is illegal, and consequently is one in which the rule referred to in the 2nd paragraph of Mr. Burke's letter may be fairly dispensed with. I have the less difficulty in asking your Excellency to reconsider your decision, as I am happy to perceive that your decision was come to on the result of an inquiry caused to be held by you, and not actually on account of an inquiry held by yourself personally.

Granting, for the present, but not admitting that the religious registration of John and Hugh Murnane as Protestants was according to the strict rules of the institution, I beg to inform your Excellency that the religious registration of said boys was quite illegal, according to the decision of the Lords Justices of Appeal, "given in the Court of Chancery, London," on the 25th ultimo, in the case of "Hawsworth v. Hawsworth," as reported in the "Times" of the following day, 26th April of the present year. In this case the Lords Justices confirmed the decision of Vice-Chancellor Wickens, that Catherine Hawsworth, a minor of eight and a-half years old, should be reared as a Catholic simply on the ground that the father, who was a Catholic, caused her to be baptized in the Catholic Church, although he had left no written instrument as to his wishes regarding the religious education of his child, and although the mother, who was, and is a Protestant, caused the child to be reared as a Protestant from the date of the father's death (which occurred six months after the birth of the child) to the date of the appeal.

If your Excellency compares this case with that of John and Hugh Murnane, your Excellency will, I feel confident, at once admit that the mother of John and Hugh Murnane had no power or authority to register her children as Protestants in the Royal Hibernian Military School, even supposing that she really so wished. For, first, not only were John and Hugh Murnane baptized as Catholics by their father's wish, but their mother was a consenting party. Secondly, not only were they baptized as Catholics, but they were educated as such with both their parents' consent, from infancy to the death of their father; and with the mother's consent, from the date of the father's death, in June 1869, to 3rd February 1871; that is to the very day they were registered as Protestants in the Royal Hibernian Military School. Thirdly, not only did the father cause these children to be baptized as Catholics, but he, moreover, three days before his death, asked his wife to promise him, that in case he died at the Cape of Good Hope, that she would go to Dublin and place the said boys in the Royal Hibernian Military School as Catholics. Fourthly, not only did the mother promise to do so, but she actually travelled from the Cape of Good Hope to

Dublin for the express purpose of fulfilling what she looked upon as the dying request of her husband, and only failed in doing so on account of the difficulty, imaginary or real, which she encountered from not having with her the certificate of Hugh's baptism, which should be procured from the Cape of Good Hope, and for which she had not the patience to wait. Lastly, not only did the mother consent to have her children, five in number, baptized and reared as Catholics, but she repents her acts in having her two boys, John and Hugh Murnane, registered as Protestants in the Hibernian Military School, and earnestly desires to have their registration altered, as is evident from the "declaration" made by her before a magistrate, and forwarded to your Excellency, with my letter, of the 14th of March last.

I have therefore to request, in the name of the mother, as well as on the part of the very Rev. Canon Brock, and on my own part, that your Excellency will direct—

1st. That these boys be at once exempted from attending Protestant service and the learning of Protestant Catechisms, in accordance with their strict rights, under the charter of the Institution, such being "inconsistent with the religious belief of" their father.

2ndly. That steps be immediately taken to have the opinion of the Attorney and Solicitor General for Ireland on the legality of their religious registration; and,

3rdly. That their religious registration be altered from Protestant to that of Roman Catholic, should the opinions of the law officers coincide with the decision of the Lords Justices of Appeal in the case of "*Hawksworth v. Hawksworth*."

According to the latter portion of the third paragraph of Mr. B.'s letter, your Excellency seems to be under the impression that I violated a rule of the institution in speaking to John Murnane "on a religious subject * * * whose name was not on the list of Roman Catholic boys;" and, secondly, "that having been charged by the Commandant with such violation, you declined to offer him the immediate explanation he demanded in the execution of his duty."

Your Excellency will, I trust, be under a different impression when you have heard both sides of the case. In the first place, I must call your attention to the fact, that Mr. B. does not correctly quote the rule, the violation of which I was called upon to explain; secondly, I beg to assure your Excellency that I was not asked for an "*immediate explanation* of that or any other rule," and, consequently, I did not decline to give it; thirdly, I most respectfully, but at the same time most firmly, assert, that I did not "*decline*" the explanation I was asked for; for I simply reminded the Commandant of a "*ruling*" made by himself, viz., that all correspondence should cease between us, once a matter was referred to your Excellency. These are the words of my letter, dated 26th March 1871: "In reply to your communication of yesterday's date, I have the honour to inform you that I brought the case of the religious registration of John and Hugh Murnane under the notice of his Excellency the Lord Lieutenant, on the 14th instant; and I presume, therefore, you would not wish to continue the correspondence pending the inquiry caused by his Excellency, *according to your own ruling*, in yours of the 21st of January last, relative to Dr. Templeton's Report of 11th of same month. I will conclude by simply adding, that at the proper time I will be quite prepared to explain my conduct in the hospital on the 10th instant, which I can by no means admit to have been correctly represented in your letter of the 23rd instant."

I will merely remark, in conclusion, that from the 26th March until I received Mr. B.'s letter of the 2nd instant, the Commandant did not complain of the above letter having been unsatisfactory, nor did he say that the time was come for the explanation promised, nor did he ever intimate that I misunderstood his own ruling in a case which occurred but two months previously.

I will now supply to your Excellency a correct account of the questions put by me to John Murnane on the day in question, as well as his answers, and I will ask your Excellency to say whether I violated Rule No. 16 of the General Regulations, by asking, as I did, on the occasion, particularly when I tell your Excellency that my principal motive for doing so was to be able to inform your Excellency of the boy's real wishes with regard to his religious registration in the Royal Hibernian Military School.

Q. What

Q. What is your name?—A. John Murnane.
 Are you a Catholic?—I was one.
 Are you happy as a Protestant?—No, sir.
 Do you wish to remain a Protestant?—No, sir.
 Do you wish to be a Catholic?—Yes, sir.
 Did you give your consent to be a Protestant?—(The boy remained perfectly silent, although I put the question more than once.)
 If you knew you could be a Catholic when coming into the school, would you be one?—Yes, sir.
 Did the colonel, or any other person, or man tell you you could be one if you wished?—No, sir.
 What prayers do you say at church on Sunday?—When the priest (!!), the minister, prays, I pray too.
 What prayers?—Protestant.
 Do you ever say the "Hail Mary"?—No, sir.
 Did you ever say the "Hail Mary" before you came to the school?—Yes, sir.
 Were you ever in a Protestant church?—No, sir.
 Were you in a Protestant church when baptized there?—Yes, sir.
 When were you there?—At night.
 Was it after dark?—Yes, sir.
 Was there a candle?—No, sir.
 How could you be baptized in the dark?—There was a lamp, with a big round globe.
 Where were you stopping for the six days when you were out of the workhouse to be baptized?—"Down there." (Pointing towards the village of Chapelizod. Samuel Burns suggested the village of Chapelizod, to which Murnane replied, "No;" and after some effort of memory, he fixed upon "Richmond," either of himself or by suggestions of S. Burns.)
 Do you know the name of the street, or lane, or place, in Richmond?—Don't know the street.
 Do you know the name of the person you were stopping with?—No, sir.
 Were you ever in Constitution Hill after you left to go the workhouse?—Only one day I was passing by, I went in. (Constitution Hill is the place where the mother lodged for a few days after she landed in Dublin in September last, and from which she removed them to the North Dublin Union, where they were under the care of the Very Rev. Canon Brock, as chaplain of the North Dublin Union, as well as whilst they were members of his flock at Constitution Hill.)
 If your mother could get leave for you to be a Catholic, would you wish it?—Yes, sir.
 Are you sure?—Yes, sir.
 Why so?—Because my father was a Catholic when he died.

In the second last paragraph of Mr. B.'s letter your Excellency seems somewhat displeased with me for having made a "direct appeal to the Government, instead of seeking redress from the legitimate authorities of the school," &c., &c., according to 14th Rule of General Regulations.

I should be very sorry indeed to trespass needlessly on your Excellency's valuable time, but when I explain my motive for having done so in this particular case, I trust your Excellency will admit that I did not do so without at least some solid reasons.

In this matter, *ist.*, a question of the utmost importance was involved, since it was a question which concerned the eternal interests, not only of the two children immediately concerned, but probably of very many others who might be placed in similar circumstances.

2ndly. It was a question that did not admit of delay. If the Catholic children of a Catholic soldier were properly registered as Protestants in the Royal Hibernian Military School, the sooner the matter was settled the better. If on the other hand they were not correctly registered, then I say that a positive injury was being done to them every day they were so registered, and consequently there was not a moment to be lost in having the registration altered.

Now, I beg to assure your Excellency, that my principal motive in appealing to you directly, and without going through the form prescribed in Rule 14, was simply to have the matter more speedily investigated, and consequently more speedily settled.

That your Excellency may see that I had some reason at least to fear that the investigation in the matter might be somewhat protracted, I will just call your attention to the fact, that in the year 1865 a somewhat similar case occurred, and in that case I conformed to Rule 14; and if your Excellency refers to page 18, No. 308, 1866, Parliamentary Return, your Excellency will there see the amount of labour that investigation caused to me, the time it occupied, and its unsatisfactory, if not actually illegal, result.

To follow that rule in the present case, I should first appeal to the Commandant,

mandant. Now, the Commandant may take more than three months to reply to a letter if he so pleases, as he has actually done in a complaint against me he is investigating at present.

And if Murnane's case of religious registration were conducted in this manner, the boys' religious principles would become quite unsettled, or they would become fixed in principles directly opposite to those of their baptism, and of their education from the time of their coming to the use of their faculties until the very day they entered the Royal Hibernian Military School, as well as to those in which their father before his death wished them to be entered in the same institution, and in which their mother would have entered them, if she had not laboured under some erroneous impression relative to the necessity of producing some baptismal certificates in order to get the children admitted.

With regard to the last paragraph of Mr. Burke's letter, I will endeavour, as far as I possibly can, to carry out your Excellency's wishes.

Hoping that your Excellency will pardon me for thus trespassing so long on your valuable time,

I have, &c.

(signed) *John Leonard*,
Catholic Chaplain,
Royal Hibernian Military
School.

To his Excellency Earl Spencer, K.G.,
President, Royal Hibernian Military School.

P.S. This night's mail from the Cape of Good Hope has brought the Catholic baptism certificates of Hugh, Bridget and Mary Murnane, which I herewith forward to your Excellency. John's certificate of baptism in Catholic Church is in the Royal Hibernian Military School probably since October last.

(signed) *J. L.*

The Under Secretary to the Rev. *J. Leonard*.

Sir,

Dublin Castle, 2 June 1871.

I AM directed by the Lord Lieutenant to acknowledge the receipt of your further communication of the 24th ultimo, relative to the case of John and Hugh Murnane, lately admitted to the Royal Hibernian Military School; and I am to state, that if Mrs. Murnane wishes the Governors to reconsider their decision as to the religious registration of her children, her proper course is to apply to the Commandant, who will lay her application before the Governors.

His Excellency must decline to take any further notice of your letter, and desires me to refer you to the communication addressed to you on the 2nd ultimo, which points out the proper course of proceeding to be followed by you, as chaplain of the institution, if you wish to take any further steps in the matter.

I have, &c.

(signed) *T. H. Burke*.

Reverend J. Leonard to the Commandant.

St. Mochta's, Clonsilla, County Dublin,

5 June 1871.

Sir,

ACCORDING to the recommendation of his Excellency the President of the Royal Hibernian Military School, I have the honour to direct your attention to an illegal religious registration, as Protestants, of two brothers, named John and Hugh Murnane, lately admitted into the above-mentioned institution. I call it an *illegal* registration, on account of the decision lately given by the Lords Justices of England in the case of "*Hawthornth v. Hawthornth*," as reported in the "*Times*" of the 26th April last (1871), for—1st. As the father and mother of these boys were both Catholics; and, 2ndly, as the children were baptized and always reared as Catholics, previous to their admission to the Royal Hibernian Military School, it would not appear to be in the power of the mother, even if she wished it, to register their children as Protestants.

I have

I have therefore to request—1st, that, in accordance with the precedent established in the case of William Elliman, these boys be exempted from attending Protestant worship, and from learning the Protestant Catechism; 2ndly, that you will bring their case at once under the notice of the Governors, if you do not consider yourself at liberty to change their religious registration; and, 3rdly, that the opinion of the Attorney and Solicitor General be had, with as little delay as possible, with regard to the framing of some rule relative to the religious registration of children in the Royal Hibernian Military School, as that in force for some years does not appear to be in harmony with the law as laid down by the Lords Justices of England in the case referred to above.

I send you a few sheets of printed matter, marked (B.), in which you will find the widow Murnane's statement at some length, and a pamphlet printed in 1870, marked (A.), both of which you will be good enough to submit to the Governors, in which they will find my views with regard to the religious registration of children very fully explained. I have only to add, that I feel confident that a calm and careful examination of my proposals with regard to the religious registration of children, which may be seen at pages 92-94* of the pamphlet herewith forwarded, will materially assist the Governors to adopt some measures calculated to prevent a recurrence of such very sad cases as those now brought under their notice.

Pg. 48, 9.

Should the Governors wish for any further information relative to this really all-important question of the religious registration of children in the Royal Hibernian Military School, I will feel most happy in assisting them in every way in my power.

I have, &c.
(signed) John Leonard,
Catholic Chaplain,
Royal Hibernian Military School.

To the Commandant,
Royal Hibernian Military School.

(A.)

CORRESPONDENCE relative to the Admission and Religious Registration of Catholic Children in the Royal Hibernian Military School, Phoenix Park, Dublin.

To the Right Honourable and Honourable the Governors of the Royal Hibernian Military School, Phoenix Park, Dublin.

May it please your Excellency,

My Lord and Gentlemen,

I HAVE the honour, as Catholic Chaplain of the Royal Hibernian Military School, to submit for your consideration my reply to the "Report of the Committee of Seven" in reference to the case of Michael Hoban, an applicant for admission into the Institution of which your excellency is president, Lord Strathairn is vice-president, and you, gentlemen, are governors. As your Excellency was not present at any of the meetings of the board when the correspondence relative to this child's case was under consideration, I deem it only fair to the Governors and to myself to furnish your Excellency with a summary, first, of the correspondence which took place previous to the "Report of the Committee," and upon which that "Report" is founded; and, secondly, of the correspondence which has since passed regarding it. For this purpose, I intend to divide this communication into three parts. The first will contain a simple narrative of the origin of this correspondence, and the correspondence itself, so far as Lord Strathairn and myself are concerned. The second part will comprise the correspondence with the Committee of Governors, General McMurdo, and your humble servant. The third part will consist of my formal reply to the "Report of the Committee of Seven," and some correspondence with the general body of governors relative to the "Report," &c. This correspondence commenced in a very simple way, as I will explain just now, but it has grown accidentally, I should rather say providentially, into one of immense importance; the question now being, not merely whether Michael Hoban was kept too long waiting for a vacancy, but whether the charter of Her Majesty has been rightly understood and legally carried out by the "Committee of Seven," and particularly by the commandant of the institution for some time past. As this is a question concerning the strict rights, under the charter, of the orphans and children of Her Majesty's faithful soldiers, I feel confident that it will receive due consideration at your Excellency's hands. Being charged, as you are, to

represent

represent Her Majesty in this country, and being the ex-officio president of the institution, I will endeavour to put my view of the charter, as well as that of the committee, before your Excellency as fairly and as intelligibly as I can, and all I ask is that both views shall be laid before the Attorney and Solicitor General, with all the necessary information required to decide fairly upon the points at issue between us, or rather between the committee and the orphans, whose advocate I am.

Trusting, therefore, in your Excellency's sense of justice, and feeling confident that the governors will only be too happy to grant any inquiry that your Excellency may consider necessary or useful to promote the best interests of the institution, so liberally and generously endowed from the public revenues, I will commence the task which I have set before me. I know it is an arduous one, but I am beginning to hope that it will not be unprofitable to a very destitute portion of my fellow beings, viz. the orphans and children of the Catholic soldiers in the first place, and, secondly, the orphans and children of soldiers of all religious denominations, and irrespective of their nationality, who in God's Providence may happen to die on the "Foreign or Home service" before having served their full time in the British army.

PART I.

A simple Narrative of the Origin of the Correspondence relative to the Case of Michael Hoban, an Applicant for Admission into the Royal Hibernian Military School, Phoenix Park, Dublin, &c. &c.

ON Wednesday, the 1st of September, 1869, as I was driving on a public road, not more than half a mile from the Royal Hibernian Military School, I met a woman with a child in her arms, and with two other children by her side, walking in the direction opposite to that in which I was driving. She saluted me, just as Catholics generally salute Catholic clergymen, and seemed to make an effort to speak to me. I was not then in the particular district of the parish of which I have charge, and as I was pressed for time, and because the woman was a perfect stranger to me, I intimated to her that I was not the priest of that district, and was still pursuing my journey, when I found the woman looking after the car, and evidently turning back from the direction in which she was walking when I first met her. As, moreover, she appeared to be calling after me, I desired the driver to pull up, and to return and meet the poor woman, who was hastening towards me. When she came within speaking distance, as well as I recollect, she addressed me thus:—"I think you are the priest I want. Are you the priest of the Hibernian School?" Of course I answered in the affirmative. She then told me her story in a few words, standing on the footpath of a public road, having her two children by her side with an infant in her arms; it was as follows. Her name was Hoban; her husband, James Hoban, a soldier of the 17th regiment had died at Newtownards a few weeks previously, leaving her with five young helpless orphans; the eldest a girl about 10 years, the youngest, the child in her arms, about 16 months old; her husband was muckery instructor; he was nearly 15 years in the service; she applied to have her eldest boy, Michael, then upwards of eight years of age, and who was by her side, admitted into the Royal Hibernian Military School; she had received this letter (producing the usual printed circular of the institution), which she gave me to read, and which ran as follows:—

"Royal Hibernian Military School, Phoenix Park, Dublin,
18 August 1869.

"Mrs. Hoban, widow of Sergeant Instructor James Hoban, your application for the child Michael Hoban has been entered on the list, with others to be brought under the consideration of the Governors for admission into this asylum, as vacancies occur, and the claims merit.

"Immediately the child is admitted, a printed notice will be sent to you; but from the number of candidates already on the list, who have prior claims, the period is very uncertain. It is, however, quite unnecessary to make any further application; and it will only be a waste of time and money to bring or send the child here, as before the notice of admission has been sent, the child cannot be admitted.

"By order,
(signed) "T. B. Speedy, Lieutenant Colonel,"
"Secretary."

I looked over this circular, and told Mrs. Hoban that the boy's claim to admission was acknowledged by the Secretary, and that he was sure of a place in some time, &c. She seemed, however, most fretted and disheartened, and drew my attention to the paragraph about the number already on the list with prior claims. I think she mentioned that she heard from some person that there were 14 children on the list before her son. She spoke too of her distressed state; that she had no home or shelter for her children; that she understood she should very soon be obliged to leave the quarters she had in Richmond barracks, and that she really did not know where to look for shelter for herself and her large family;

Mrs. Hoban's account of herself.

Printed circular sent by Secretary of R.H.M.S. to Mrs. Hoban, dated 18 August 1869.

family; that she did not wish to go into a lodging-house, lest the children should contract disease, and expressed her fears that if she did, there were very few lodging-houses where she would be admitted on account of the number of her children. To add to her troubles she informed me that she was near her confinement for her sixth child. Indeed, she appeared to be almost distracted, not knowing what to do. She begged of me to do all I could to get, at least, her son Michael provided for, by using my influence to have him admitted as soon as possible into the Royal Hibernian Military School. I certainly listened with real interest to her story, and felt sure at heart that I could not at once relieve her mind by saying that I was sure all would be well, and that the boy would be at once admitted. All I could do was to tell her, that indeed I had but little influence in such matters, but that, as I was actually going to the Hibernian School for the performance of my usual duties, I would make it my business to see the Commandant, and do my best for her.

In probably less than 10 minutes from the time I parted with this poor, afflicted, and disconsolate widow, I was in the Commandant's office, and opened the interview with him, by asking him to oblige me by letting me know when the committee of Governors would meet. *This information he at once declined to give me.* I then presented to him the printed circular of the secretary of the institution, referred to a few moments ago. He took it in his hand, and having read the first few lines, he returned it to me, saying, "What have you to do with that?" I merely replied, "Unless I had something to do with it, I would not trouble you about it." He then remarked, "You must put whatever you have to say regarding it in writing." I rejoined, "That is precisely the reason why I asked you, in the first place, to tell me when the Governors will meet. For, if they meet to-day, I have but very little time to prepare a written communication for them; if they do not meet till to-morrow, or the day after, I will have more time to do so." The Commandant then indicated to me, that he would receive no communication of any kind from me, giving me as his reason, "that the boy was not under my care," meaning, I presume, as Catholic chaplain of the Royal Hibernian Military School. He then rang his office bell; an official answered it; and he sent for Lieutenant Colonel Speedy, the secretary of the institution. Colonel Speedy entered the office in a few minutes, and, without further preface, the Commandant addressed the secretary as follows: "I have just been telling Dr. Leonard that I can hold no communication with him relative to my boy not under his charge." Colonel Speedy was silent, the Commandant was silent, and, perceiving that it was the wish of the Commandant, that I should leave his office, I stood up, and quietly remarked, "I must only try what Lord Strathairn will do in the circumstances." I at once went to the vestry of the chapel of the institution, and as soon as I was free to leave the boys, who were then assembled for catechism, I penned a few hasty lines to Lord Strathairn, who is the vice president of the institution, detailing in a hurried manner some of the distressing circumstances of this poor widow's case, as given previously. I also requested his Lordship to take the matter into his favourable consideration. This letter was written after 12 o'clock, on 1st September 1869, and I at once proceeded to the Royal Hospital to hand in the letter to the commander of the forces, and, if possible, to have an interview with his Lordship, that I might the more effectually induce him to send down my letter, with his own recommendation to the committee of Governors, in case they should be then actually assembled in the board-room at their usual monthly meeting for the admission of applicants. On my way to the Royal Hospital (when near the magazine in the park), I met the commandant and secretary apparently returning from the meeting of the committee. It was then only 12.55 o'clock, p.m. However, I continued my journey in the hope of seeing Lord Strathairn, and asking him to use his influence to have this poor child admitted as speedily as possible, for I considered he had strong claims, being a second class applicant according to the charter, irrespective, altogether, of the poverty and affliction of the mother, as well as the number of young and helpless children in the family. It so happened Lord Strathairn was then at the Carragh Camp, and was not expected back for some time. I, therefore, had no other alternative but to leave the letter of that date (1st September 1869), at his Lordship's quarters at the Royal Hospital, and, on the sixth of the same month, the military secretary wrote to me in reply by his Lordship's directions as follows:—

The Camp, 6th September 1869.

"I am directed by Lord Strathairn to acknowledge the receipt of your letter of the 1st instant, and to inform you that he is very happy to do always anything in his power for the widows and children of deserving soldiers, and as the case mentioned by you appears to be a deserving one, he has recommended it to the good offices of the proper authorities.

"I have, &c.
(signed) "L. Seyth,
"Colonel, Military Secretary."

This was received by me on the 8th of September last, and, as far as I was concerned, this letter ended the correspondence. For, although I felt grateful to his Lordship for his kind reply, and was inclined to write a line in acknowledgment and thanks, still, as the letter of the military secretary of the 6th was an official reply to mine of the 1st September, I thought it better in the circumstances to leave the matter in the hands of his Lordship and the "proper authorities," wherever they might be.

Committee of Governors may meet any day between the 1st and 8th of each month according to the charter.

Refusal of commandant to hold communication with Catholic chaplain relative to boys not under his (chaplain's) charge.

Letter of military secretary, dated 6th September 1869, by direction of Lord Strathairn.

On

The opening of the correspondence by Lord Strathairn's directions.

On the 14th of the same month (September 1869), the military secretary reopened the correspondence by direction of Lord Strathairn, and forwarded to me a copy of a letter received from the Commandant, dated

"Royal Hibernian Military School, Phoenix Park, Dublin,
"8 September 1869."

Sir,

"I beg to acknowledge the receipt last evening of your note of the 6th instant. Michael Hoban's admission was only applied for last month. His name is on the list, which, however, I regret to say contains a number of more urgent and deserving cases of longer standing."

"Pray assure Lord Strathairn that directly relative claims admit, Michael Hoban's shall have my best offices with the committee."

"I have, &c.

(signed) "H. Wyndham,
Lieutenant-colonel Commandant."

"Colonel the Hon. L. Smith, C.B., &c.

On receiving the above communication from the military secretary, I looked over my own private register (the public register of the institution I have never yet seen), and I there found that, during the preceding six months, there were admitted and registered as Catholics only two children with claims superior to those of Michael Hoban; only four of the same class of claims; whilst there were ten of an inferior class admitted and registered as Catholics, according to the plain, self-evident, and, what I considered, the strictly legal interpretation of the rules laid down in the charter for the selection of children for admission, which rules may be seen at page 26 of the "Rules and Regulations," and are as follows:—

"And our further will is, and we do hereby direct, that in the selection of children for admission, preference in general shall be given—

"First, to orphans.

"Secondly, to those whose fathers have been killed, or who have died on foreign or home service.

"Thirdly, to those that have lost their mothers, and whose fathers are absent on duty abroad.

"Fourthly, to those whose fathers are ordered abroad on foreign service, or whose parents have other children to support.

"And lastly, our will and pleasure is, and we do hereby declare and ordain, that these our Letters Patent, and every clause, sentence, and article therein contained shall be in all things firm, good, valid, sufficient, and effectual in the laws unto the said corporation," &c.

Taking the copy of the letter of the commandant in hand, and looking at the above rules of the charter, and comparing them both with my own register, I really could not comprehend how the rules, laid down in the charter of the institution for the selection of children for admission could have been followed, in the ordinary sense of the words, for some time previous to 8th September 1869, if on that day, as the commandant stated, there were a "number of more urgent and deserving cases of longer standing" than that of Michael Hoban, and for the following reasons:

First, Michael Hoban, being a second class applicant (his father having "died on home service"), and his mother being burthened with a large and young and helpless family, and, moreover, being rendered altogether incapable of earning a livelihood for either herself or them (on account of her approaching confinement of her sixth child), I thought I was justified in concluding, that the "number of more urgent and deserving cases of longer standing," referred to by the Commandant in his letter of the 8th September 1869, must necessarily be either unusually distressing second class cases, or first class cases, according to the rules laid down in the charter as given above.

Secondly. Having learned, from the Commandant's own letter of the 8th September, that the "number of more urgent and deserving cases" were of "longer standing" than that of Michael Hoban, I thought I was justified in concluding that they were all on the list of applicants before the 18th August 1869, the date of the printed circular given at page 14, informing Mrs. Hoban that her son Michael was actually entered on that list.

Thirdly. Looking at the Parliamentary Return of May 1869 (No. 306), page 103, I learned that, according to the present Commandant, "only the very poorest class of Roman Catholic children enter" the Royal Hibernian Military School; "for not until pressed by extreme poverty" will the parents or guardians bring their children here in opposition to, or with the reluctant consent of, their clergy."

Consequently, as the class of children admitted and registered as Catholics during the preceding six months ought to give me a clue to the class of children admitted and registered as Protestants (assuming that the Commandant was correctly informed on the subject), I considered that I was justified in concluding that the boys admitted and registered as Protestants were not more urgent or deserving than the boys admitted and registered as Catholics.

Then,

Then, taking up my register, I there found that, on 22nd March 1869, a boy named Edmund Kearney was placed under my care, as Catholic chaplain, who told me that his mother was dead, that his father was alive and resided at 8, Irwin-street, Dublin; that his father was a serjeant in the army; that he had a pension of 2s. per day; that his only brother, named William, was about nine years old; that there was no other member of the family alive; and knowing from the charter of the institution that, although his mother was dead, he was only a third-class applicant, and, consequently, an inferior claimant to Michael Hoban (who was a second-class applicant according to the charter), I considered I had fair grounds for concluding that some explanation was necessary how that boy Edmund Kearney was admitted, if, on the day his application for admission was brought under the notice of the Committee of Governors, there was even one "more urgent and deserving case" than that of Michael Hoban on the list of applicants. For I certainly looked upon the case of Edmund Kearney as inferior to that of Michael Hoban according to the charter.

Reasons for thinking
10 boys inferior to
M. Hoban, accord-
ing to charter,
No. 1, Edmund
Kearney.

Taking up my register again, I there learned that during the very next month, viz., April 1869, there was a boy named William Edward Joyce placed under my care, as Catholic chaplain, whose father and mother are both living at Merrion, County Dublin, whose father was a serjeant in the army, and has a pension of 2s. per day, and, moreover, fills a situation which brings him in 12s. per week. Now, although there was certainly a family of eight children in this particular case (six of them being girls), still, according to the strictly legal interpretation of the rules laid down in the charter of the institution for the selection of children for admission, this boy was only a fourth-class applicant, and I therefore thought I was justified in concluding that some explanation was also required why William Edward Joyce, a fourth-class applicant, whose parents had an income of 26s. per week, or 67l. 12s. per annum, was admitted; if, the day his application for admission was brought under the notice of the Committee of Governors, any one "more urgent and deserving case" than that of Michael Hoban was then entered on the list of applicants; if the rules laid down in the charter for the selection of children for admission were actually those by which the Committee of Governors were guided on the day in question.

No. 2, W. E. Joyce.

Referring again to my register, I discovered that a boy named Richard John Drumm was placed under my care on the 28th of the same month, whose mother was dead, whose father was alive, and had married a second time; that his father was a serjeant-pensioner, and was, moreover, at that very time a serjeant in the Dublin Militia, and was, consequently, worth from 4s. to 5s. per day, or say 30s. per week, which would amount to nearly 80l. per annum; that the boy had only one young stepbrother at home, a child about three years old. I naturally asked myself again, was there not some explanation required, how this boy also could have been admitted, if there was any one "more urgent and deserving case" entered on the list of applicants on the day the Commandant brought under the notice of the Governors the name of the boy Richard John Drumm as recommended for admission.

No. 3, R. J. Drumm.

Referring again to my register, I found that a boy named James Denis MacConville, of whom I got charge on the 6th of May 1869, was entered a Catholic, and I learned from him that his father and mother were alive and residing in Cork; that his father was a serjeant, and of course a pensioner, but he did not mention what his precise pension was; that, moreover, his father was a labourer, but that he did not know what weekly wages he was earning; that his mother followed the calling of a washerwoman, but he could not say precisely what were her earnings; that he had one brother, Christopher, 15 years old, another, Michael, seven, and William, three years old. However, he gave me information enough to enable me to come to the conclusion that there could be no great poverty or wretchedness in the family, while the father had his pension, and his earnings as a labourer, with some little additional help from the industry of his wife; and I naturally asked myself again, as in the other cases, how there could have been any one "more urgent and deserving case" than that of Michael Hoban entered on the list of applicants on the day the Committee of Governors met, and decided on receiving this by no means urgent, though probably a deserving, fourth-class case, if the rules of the charter were strictly carried out.

No. 4, J. D. Mac-
Conville.

Referring again to my register, I discovered that a boy named Michael O'Brien was also placed under my charge on the 24th of the same month (May), whose mother was dead, whose father was alive, and a pensioner in the "Old Man's House, Dublin"; that he had only one sister, named Charlotte, who, as far as I could learn, was no burden to her father at the time her brother was admitted. And here again I asked myself the same question as before, i. e., were the rules of the charter, so often referred to, observed in his case either?

No. 5, Michael
O'Brien.

The next I find on my list is a boy named James Lonergan, whose father and mother were both alive, and very comfortably provided for in the Quartermaster General's Office, Lower Castle Yard, Dublin. He enjoys a pension of 2s. per diem as a serjeant; he has 36l. 10s. as a messenger in the office; his pension and his salary in the above-mentioned office making in all an income of upwards of 70l. per annum, besides his residence, gas-light, and probably firing, free of all expense. Now, although the father of this boy fought bravely in battle no doubt, and lost an eye in action, still, as the country pays him his pension of 2s. per day, and his salary of 36l. 10s. per annum as messenger in the

No. 6, James
Lonergan.

Quartermaster General's Office, and as the whole family consisted but of four children, the eldest of whom is a girl of 16 years of age, and consequently nearly of an age to earn a livelihood for herself, I certainly again considered that, even in this case, I was justified in coming to the conclusion that some explanation was required why the boy James Lonergan, a fourth-class case according to the charter, and certainly not a very urgent one (although very near to the age of disqualification, viz., 12 years), was admitted, if there was even one "more urgent and deserving case" on the list of applicants on the 1st June 1869, when this boy was ordered to be received, although he was not even one month applying for admission, as I have been informed on the very best authority.

No. 7, J. Walsh.

The next case I find on my register is that of James Walsh, who was placed under my charge in July of the past year, whose father and mother are both living and well. The father is a peasant, and is almost constantly employed as a coachman and groom, whose whole family consisted of one son, John, at a trade, Joseph, four years old, and three daughters at home, varying in age from 19 to 3 years, whose whole income amounts to, I should say, something near 60*l.* per annum. And again I asked myself, why James Walsh, a fourth-class case, was admitted into the institution, if there was even one case "more urgent and deserving" than that of Michael Hoban on the list of applicants on the day James Walsh was ordered to be received into the institution.

No. 8, P. Brennan.

Referring once more to my register, I come to the name of Patrick Brennan, who informed me, the first time I met him, that both his father and mother were alive; that they lived in Tulse; that his father was a sergeant; and that the only child at home was a brother named Francis, five years old. And here again I put myself the question regarding the observance of the charter in his admission, as in the preceding fourth-class case.

No. 9, James Fleming.

I then learned from my register that James Fleming was the next boy placed under my care as a Catholic, whose father and mother were also living, his father having a pension of 1*s.* 3*d.* per day, whose family consisted of Thomas, eight years, Alfred, two years, and Ida, six years old. I learned, however, since I wrote to the Military Secretary, 14 September 1868, that his father was a complete invalid at the time of James Fleming's admission, and was actually an inmate of one of the Dublin hospitals. Now, as the father, mother, and four children had no earthly means of support but the small pension of 1*s.* 3*d.* per day, and as this poor child was on the "list of applicants" for admission from the 29th April 1868, that is, for fully 14 months, I have no difficulty in now admitting that the Committee of Governors exercised a wise discretion in receiving him into the institution, although only a fourth class case, as I consider him to be almost equal to a second class case, and therefore one of those exceptional cases referred to in the charter, where it is stated "*preference in general shall be given,*" &c., although, strictly speaking, his case was inferior to that of Michael Hoban.

I now come to the tenth of the cases referred to by me as inferior to that of Michael Hoban, pages 18.

No. 10, Laurence Ormond.

On the 12th of August 1868, a boy named Laurence Ormond was placed under my charge as Catholic chaplain. On the very first day I met the boy, before I ever saw or heard of the widow Hoban, he gave me the following information: that his mother had died about nine months previously; that his father was a barrack sergeant in the Artillery Barracks at Woolwich; that he had four sisters and one brother. Now, judging from the father's position as barrack sergeant, and the child's claims as a third class applicant, I certainly again considered myself perfectly justified in concluding that some explanation was required from some official of the Royal Hibernian Military School, how it was that a third class boy like Laurence Ormond, whose father was in such comfortable circumstances, was received into the institution on the 12th of August 1868, if on the 18th of the same month, only six days later, there were not only two or three, but a "number of more urgent and deserving cases, of longer standing" than that of Michael Hoban.

Sowing, therefore, even from my own register, that there were about ten cases of Catholics admitted during the preceding six months—with claims inferior to those of Michael Hoban, taking the rules of the charter as my guide in forming my opinion as to their respective merits, I could not really understand why these ten boys took precedence of even "more urgent and deserving cases" than that of Michael Hoban, whether these "more urgent and deserving cases" were Protestants, Presbyterians, or Catholics. I consequently looked upon that statement of the Commandant as a fair and legitimate subject for correspondence with Lord Strathmore, as the vice-president of the institution, first, to get some explanation of it, and, secondly, if that explanation were refused or unsatisfactory, I came to the conclusion that there appeared to be solid grounds for serious inquiry into the question, whether the rules of the charter of the Royal Hibernian Military School were legally carried out in the admission of applicants, previous to the date of the Commandant's letter, viz., the 8th of September 1868, and on this account I felt it my duty to write to his Lordship's secretary as follows:—

"St. Michael's, Portarlington, Clonsilla, Co. Dublin,
"24 September 1869.

"Sir,

"I HAVE the honour to acknowledge the receipt of your letter of the 14th inst., "covering a copy of the Commandant's letter of the 8th inst., relative to the boy Michael
"Hoban. You will please convey my grateful thanks to Lord Strathmore for the promptness

Letter of Catholic
chaplain to military
secretary, 24th
September 1869.

" promptness and kindness with which he attended to my communication of the 1st inst., respecting this child's case.

" With reference to the statement of the commandant of the Royal Hibernian Military School in the above-mentioned communication, to the effect that the list of applicants for admission 'contains a number of more urgent and deserving cases of longer standing' than that of Michael Hoban, I wish to direct his lordship's attention to the fact that during the last six months, viz., from the 1st March to the 31st August, there were only two cases of children admitted and registered as Catholics, with claims superior to those of Michael Hoban, and only four of those admitted and registered as Catholics and equal claims, according to the rule laid down in the charter of the institution (*Rules and Regulations*, page 23) for the admission of children, whilst there were ten children admitted and registered as Catholics with claims inferior to those of Michael Hoban, during the same period.

" Now, as the admission of children is supposed to be regulated by the rules laid down in the charter unless in exceptional cases, and as there are generally about two Protestants admitted to one Catholic, it would seem to follow, that, from the 1st of March to the 31st of August of the present year, there were about thirty children admitted with claims inferior to those of Michael Hoban, and consequently that it requires some explanation from the commandant, or at least from some official of the institution, how it happens that the present list of applicants 'contains a number of more urgent and deserving cases of longer standing' than that of Michael Hoban, when it is borne in mind that there were only six such cases admitted, viz., two Catholics and four Protestants, during the preceding half-year, whilst there were about thirty cases of children with inferior claims admitted during the same period, and three of the same class, and six of an inferior class of claims during the last month.

" It may be also well to direct his lordship's attention to the fact, that there were actually eight vacancies in the school on the 1st of the present month, when this poor child's case should have been submitted to the Committee of Governors. May I trouble you to bring this letter under the notice of his lordship at your earliest convenience, and hoping you will pardon me for the trouble I am giving you in the cause of charity,

" I have, &c.

(signed) "J. Leonard, Catholic Chaplain,
" Royal Hibernian Military School.

" Colonel the Hon. L. Smyth, c.n.

" &c. &c."

Reply of Military Secretary.

" Rev. Sir,

" The Curragh, 28 Sep. 1869.

" I HAVE the honour to acknowledge the receipt of your letter of the 21th, and am directed by Lord Strathairn to acquaint you to reply that, as your communication is a complaint against the officials of the institution as regards the admission of child en into the Royal Hibernian Military School, it will be just to all parties that it should be submitted by you to the competent and proper authorities—The Committee of Governors.

" I am, &c.,

(signed) "L. Smyth,
" Colonel, Military Secretary."

Reply of Catholic Chaplain.

" St. Mochta's, Portarstown,

" Clonsilla, Co. Dublin,

" 1st October 1869.

" Sir,

" I HAVE the honour to acknowledge the receipt this day of your letter of the 28th, posted on the 30th ult., relative to the case of Michael Hoban.

" You will please inform Lord Strathairn that, acting on his suggestion, I will forward a copy of the entire correspondence relative to this boy's case, to the Committee of Governors with as little delay as possible.

" I have, &c.

(signed) "J. Leonard, Catholic Chaplain,
" Royal Hibernian Military School."

" Colonel the Hon. L. Smyth, c.n., &c.,

" Curragh Camp."

PART II.

The Committee of Governors—General *AP Morda*—Catholic Chaplain—and Commandant.

As the vice-president suggested to have the matter referred to in my communication of the 24th September brought under the notice of the Committee of Governors, I made up my mind at once to do so, as is evident from the preceding letter. I first made a copy of the entire correspondence (in extenso), between Lord Strathairn, the Military Secretary, and your humble servant, beginning on the 1st September, and ending on the 1st October 1860; the substance, if not the exact copies of which have been already given in the preceding portions of this document, and then drew the attention of the Governors to a list of applicants in the latest Parliamentary Return, May 1866, as follows:—

Extract of letter of
catholic chaplain to
committee of
governors, 25th
October 1860.

"But the case of Michael Heben is not the only one which seems to require explanation, if the rules just quoted be still in force. Taking up the Parliamentary Return of 30th May 1866, I find at page 17, a 'Return of the names of the boys at present (13th March 1866), on the books of the institution as applicants, and the religious faith in which they were baptised.' Of the first 50 names on this return 31 were Catholics, and only 19 Protestants of all denominations, and, as far as I can learn, but eight of the 31 Catholics were admitted, whilst there were 13 out of the 19 Protestants received into the Institution; or, in other words, of the first 51 Catholics on the return, 23 were not admitted, whilst only six of the 19 Protestants were refused admission. Again, taking the whole list as given in the Return, I find there were 51 Catholics to 46 Protestants of all denominations, that is, the Catholic applicants were 52·68 per cent., whilst the Protestant applicants of all denominations were but 47·42 per cent. On analysing the list of boys admitted, I find there were only 31·37 per cent. of the Catholic applicants received into the institution up to the present date (of those on the list of applicants 13/3/66), whilst there were 58·7 per cent. of the Protestant applicants on the same list admitted; or, in other words, there were 68·6 per cent. of Catholic boys either not admitted at all, or were registered as Protestants, whilst there were only 41·3 per cent. of Protestants of all denominations admitted, and not one boy, baptised as a Protestant of any denomination, registered as a Catholic during the same period.

"This per centage seems the more extraordinary on account of the very destitute state of the Catholic children who apply for admission into the *Hibernian School*, as the Commandant himself admits at page 103 of the same Parliamentary Return, where, endeavouring to account why there were fewer Roman Catholic than Protestant boys appointed as monitors, he states, 'Only the very poorest class of Roman Catholic children, who have received little if any education, enter here generally speaking . . . for not until pressed by extreme poverty will parents or guardians bring their children here in opposition to, or with the reluctant consent, of their clergy.'

I cannot refrain from inserting here a copy of the "P.S." of the preceding letter, as it is one deserving of some attention at the hands of your Excellency.

Thomas Fleming, a
16 months applicant,
not admitted 25th
October 1860.

"P.S.—Since the above correspondence with Lord Strathairn took place, I was requested by the parents of a boy named Thomas Fleming to endeavour to have him admitted as soon as possible into the *Hibernian School*, and as the case appears to bear upon the general question of the admission of boys into the *Hibernian School* according to the rules laid down in the Charter, I consider this a favourable opportunity of bringing this boy's claim under the notice of the Committee of Governors. The facts of the case are as follows: *Leasee* Serjeant Thomas Fleming was discharged the 20th July of the present year, after 23 years and 116 days' service, on a pension of 1 *l.* 3 *s.* per day. He was then completely broken down in health, in proof of which it is sufficient to say, that, according to the statement of his wife, he spent the last seven months in hospital, and is, at present, in one of the *Dublin* hospitals. His family consists of a wife and four children, viz.: James, who was admitted in August last into the *Hibernian School*, having been 14 months on the list of applicants; Thomas, the applicant in question, who is now upwards of 16 months on the list of applicants; Ada, six years and a half; and Alfred, two years and two months old. The whole means of support for the wife and the three children at home, and for supplying the sick husband with some little comforts in the hospital, consist, so far as I can learn, of the pension of 1 *l.* 3 *s.* per day, and some trifling earnings of the wife for laundry work during the last three weeks. In taking this child's claim into consideration, you will be pleased to bear in mind that Colonel Hardy testifies that his father was of 'good character,' and 'in possession of five good "conduct badges"; that his brother was 14, and that he himself is now more than 16 months on the list of applicants, whilst James Doyle, who was admitted in September last, was only kept about three months waiting for a vacancy. Indeed it seems to require some explanation how it happens that James Doyle, a fourth class applicant, who applied for admission in June of the present year, was admitted last month, whilst Thomas Fleming, another fourth class applicant, who applied 12 months previously, is not yet admitted into the institution."

Catholic chaplain to
commandant, 25th
October 1860.

On the same day I wrote to the Commandant requesting him to bring the communication, addressed to the Committee of Governors, just referred to, under their notice on the

1st November last, and intimating to him that I would expect to be present at the meeting of the Committee. On the 28th of the same month I received an acknowledgment of the receipt of the two foregoing documents, but it contained no allusion as to whether I was to be present at the meeting or not, or to the case of Thomas Fleming. I think it also my duty to inform your Excellency that this boy became a second-class applicant by the death of his father, in October or November last, and yet he was only received into the institution on the 10th of February of the present year, being about 16 months on the books as a fourth-class applicant, and nearly three more as a second-class applicant, although his father served in the army till compelled to leave by bad health, which probably was brought on by active service, as I understand he took part in the actions at Balaklava, Alma, Inkermann, and Sebastopol, and was, moreover, on two foreign stations, viz. the West Indies and the Mediterranean, according to his statement to me.

On the 15th November last I received a letter from General M'Murdo, asking me "to furnish him with the names of the 10 boys (registered as Catholics) alluded to in the second paragraph of my letter to the Military Secretary of the 24th September last, adding that he was engaged in investigating the correspondence arising out of the case of the boy, Michael Hoban, and "this information would facilitate his inquiry." I lost no time in complying with his request, and towards the end of my letter addressed him as follows:—

General M'Murdo to Catholic chaplain.

The names of 10 boys to be found at page 17, 18

"I cannot, however, conclude this letter without expressing my surprise that your communication of this date is the first information I have received relative to the investigation now being held by you regarding the case of Michael Hoban, in which I am so deeply interested, and at which investigation my presence would seem to be somewhat necessary, as appears from your communication of this day's date, and I now respectfully offer my services in any way in which you may require them, and promise to use my best endeavours to assist you in thoroughly investigating the case now under your consideration." That letter was not replied to, and of course my services in investigating the case were not made use of.

Extract of Catholic chaplain's letter to General M'Murdo, 15th November 1869.

On December 17th, I forwarded to General M'Murdo the baptismal certificate of the widow Hoban's sixth child, born towards the close of November, and baptised in St. James's Church, Dublin, on the 28th of the same month; and towards the end of the letter I pressed this poor woman's case, as follows:—

"The birth of this child makes the sixth child depending for support on the widow Hoban, and renders it utterly impossible for her to labour in any way for the maintenance of such a large and helpless young family."

Extract from Catholic chaplain's letter to General M'Murdo, 17th December 1869.

I received a reply from his A. D. C., dated 20th December 1869, returning the baptismal certificate, and informing me that "Michael Hoban was among those who were admitted to the Royal Hibernian Military School at the last meeting of the Governors." Thinking that, at last, this poor child would be at once received into the institution, as the meeting of Governors referred to by General M'Murdo was probably held in the first week of December, I again allowed the correspondence to drop. I awaited patiently for nearly a month, but then felt myself obliged to re-open it in charity to the poor mother, who called upon me at the chapel of the institution to speak to me on the subject of her son not having been yet received into the school. I gave a copy of this letter in full, as it is of some importance, and led to others of still greater importance with regard to the observance of the rules of the Charter for the admission of children.

"St. Mochta's, Portlaoine, Clonsilla, County Dublin,
18 January 1870.

"Dear Sir,
"I HAVE the honour to inform you that that boy, Michael Hoban, has not been received as an inmate of the Royal Hibernian Military School, although amongst those who were admitted into that institution at the December meeting of the committee of Governors, according to the letter of your A. D. C., addressed to me by your direction on the 20th ult.; nor had his mother received any intimation of his admission when I saw her on Saturday last.

Letter of Catholic chaplain to General M'Murdo, 18th January 1870.

"This seems the more extraordinary, as no less than six fourth class cases have joined as Catholics since her son's name was placed as a second class claimant on the list of applicants, and one second class claimant has also joined as a Catholic, who was not as long on the list of applicants as Michael Hoban.

"I have also to call your attention to the fact that the widow Hoban stated to me on Saturday last, that she and her six children (one of whom is very delicate, and another only an infant) are obliged to sleep in the one bed, and that bed is in the same wretched apartment, in which there is an aged, sickly, and indeed, I may say a dying woman; and that she has spent almost all of the little savings of her deceased husband in supporting herself and her six children since her husband's death; and that the delay in the actual admission of her son into the Royal Hibernian Military School, is preventing her from going to Belfast, and endeavouring to get into some little business with the money collected by the soldiers of her late husband's regiment, which she states is not to be given to her until she makes some effort to do so, according to the wishes of the donors.

"May I hope that you will take this most distressing case into your kind consideration, and that you will inform me when the result of your investigations, commenced in
506.

" November of last year relative to this case, which is now pending since August last
 " will be laid before the Governors, or committee of Governors, and if I will be permitted
 " to be present at said meeting."

To the preceding letter I received the following reply from the Commandant.

" Royal Hibernian Military School,
 21 January 1870.

" Rev. Sir,
 " YOUR letter of 18th instant to M. General McMahon having been referred to me,
 " I have to inform you that the boy Michael Hoban stands to-day seventh for admission
 " among those boys last marked off by the committee for vacancies as they occur; and as
 " the papers of nine volunteers for the army went to the Adjutant General (Horse
 " Guards) yesterday, the poor boy will almost certainly be taken in it medically fit, &c.,
 " before the end of the present month," &c. To which I replied as follows:—

St. Mochea's, Porterstown, Clonsilla, County Dublin,
 22 January 1870.

" Sir,
 " I have the honour to acknowledge the receipt of your letter of yesterday's date.
 " With reference to the passage 'I have to inform you that the boy Michael Hoban
 " stands to-day seventh for admission among those boys last marked off by the committee
 " for vacancies as they occur,' I have to request that you will inform me, whether I am
 " right in understanding that passage to mean, that there were on yesterday six of the
 " boys last marked off by the committee for vacancies as they occur with claims more
 " urgent than that of Michael Hoban, according to the 'rules for selecting children' for
 " admission, to be found at page 23 in the printed copy of the Charter of the Institution."

To which the commandant replied as follows:—

" Royal Hibernian Military School,
 24 January 1870.

" Rev. Sir,
 " I have the honour to acquaint you that by the passage which in your letter of 22nd,
 " you quote from mine of the 21st instant, I only meant to be understood as informing
 " you he then stood seventh for admission among those boys last marked off by the
 " committee for admission as vacancies occur—nothing more; and I must beg you will
 " excuse me for declining to enter with you into the question of the relative claims of
 " children admitted or to be admitted into the institution." This letter was answered by
 me on 28th of same month as follows:—

" St. Mochea's, Porterstown, Clonsilla,
 28 January 1870.

" Sir,
 " I have the honour to acknowledge the receipt of your letter of the 28th instant. I
 " have now to request that you will bring a copy of that letter, and of the correspondence
 " which led to it, under the notice of the Governors or committee of Governors at their
 " first meeting in February. You will also be so good as to again direct the attention of
 " the Governors or committee of Governors to my communication of the 26th October of
 " last year, and request them to say when I may expect a reply to that document, the
 " receipt of which by the committee has not even been acknowledged as yet, although we
 " are now entering on the fourth month since it was forwarded to them by being placed in
 " your hands for presentation to the committee at their first meeting, which was probably
 " held 1st November 1869.

" I have now only to add, that I will be ready to attend at the meeting of the committee
 " should the chairman or you give me notice to that effect twenty-four hours before the
 " time of meeting, and will be most happy to assist them in any way in my power with the
 " evidence in my possession relative to the general question of the admission of children
 " into the Royal Hibernian Military School, provided that proper steps be taken to have
 " that evidence duly recorded by having the reporters of the press admitted, and that I be
 " allowed to be accompanied by a friend at said meeting." To which I received the
 following reply:

Royal Hibernian Military School,
 1 February 1870.

" Rev. Sir,
 " I have the honour to acquaint you that I, yesterday, brought your letters of the 28th
 " ultimo, and the correspondence which led to it, in reference to the boy Hoban, to the
 " notice of the general meeting of governors, who referred them to the committee of
 " seven.

" I am, &c.,
 (signed) "H. Wyndham.

" Lieutenant Colonel, Commandant."

Your Excellency will perceive from the letter of the Commandant, dated the 24th
 January last, that he would not undertake to say, that the boys, "last marked off for
 admission by the committee" were actually marked off according to the rules laid down
 in the Charter. Now, if the order of selection (laid down in the Charter) were really not
 followed on the day in question, I trust your Excellency will cause inquiry to be made,
 why the rules laid down in the Charter were departed from in the case of this extremely
 desolate and very urgent second class case according to the Charter.

It is scarcely necessary to direct your Excellency's attention to the number of times that I offered my services to give evidence to the committee of Governors, and it will be for your Excellency to decide, whether the committee, used all the means thus placed at their command, and which were at least somewhat calculated to enable them to thoroughly investigate, and sift to the bottom, the matter referred to them by me, at the suggestion of his Lordship the vice-president of the institution. This concludes the correspondence previous to the receipt of the "Report of the Committee of Seven."

PART III.

The General Board of Governors—Report of Committee of Seven—The Commandant and Catholic Chaplain.

We are now entering on the third and last phase of this correspondence, which commences with the letter from the Commandant, dated 31st January 1870, addressed to me by order of the Governors, assembled in special meeting at the Royal Hospital on same day.

Royal Hibernian Military School,
31st January 1870.

"Rev. Sir,
"I am directed by the Governors of the Royal Hibernian Military School, in special general meeting at the Royal Hospital this day, to transmit to you the enclosed result of an investigation into the complaint made by you to Lord Strathnairn in your letter of the 24th September last to the Military Secretary (copy of which communication was duly submitted to the committee with your letter to me of 26th October, and its other enclosures) respecting the admission of children into this institution; and to request, that, should you have any further observations to make on the subject, you will furnish them to me with a view to my submitting them to a special general meeting of Governors."

"I am to add that, should you desire to be present at the meeting, you will be good enough to inform me, when due notice will be forwarded to you of the day appointed for it."

"I have, &c.,
(signed) "H. Wyndham,"
"Lieutenant Colonel Commandant."

With regard to this communication, I will content myself with remarking, that I regret I cannot give your Excellency any information relative to the "investigation" referred to by the Commandant, as I was not allowed to be present at it. It is only right, however, that I should remind your Excellency that in my letter to the Commandant, dated 26th October 1869, I requested of him to bring my communication of same date, relative to boy Michael Hoban, under the notice of the Governors; and at the same time to "please inform the Committee that I shall not be able to avail myself at present of their kind indulgence of two months' leave of absence, to commence in the early part of November, on account of the suggestion of Lord Strathnairn, that I should bring this boy's case under the notice of the Committee of Governors, as my presence will probably be required during its investigation. I must also trouble you to inform the chairman of the committee that I will expect to be present at the meeting of the Committee of Governors at which the communication herewith forwarded shall be submitted to their consideration."

Your Excellency will also bear in mind, that in my letter to General M'Murdo of the 15th November 1869, I offered my services in any way in which they might be required, and expressed my surprise to learn by his letter of same date that he was then engaged in holding an investigation into the case of Michael Hoban, in which I was so deeply interested, without my being present at it. I even went so far as to add, that my presence at that investigation seemed to be somewhat necessary, as appeared from his own communication of that day's date (15th November) written from Royal Hibernian Military School, asking me to supply a list of 10 boys whom I considered inferior in claims to Michael Hoban, giving as his reason that "this information would facilitate his inquiry." I moreover promised "to use my best endeavours to assist him in thoroughly investigating the case then under consideration."

Why these offers were not accepted, it is impossible for me to explain, for the following simple reason, that there was no reply of any kind from General M'Murdo to my communication of 15th November last, in which my services were placed at his disposal, and the Report of the Committee is silent on the subject.

I have now to bring under the notice of your Excellency the Report of the Committee of Governors, or "Committee of Seven," as it is sometimes called. This document is certainly one of great importance, on account of the important trust confided to the gentlemen who are the authors of it, as well as to the General Board of Governors, to whom it was submitted on the 31st January last. There is no date to it, but from the context

"a"

"a"

Catholic chaplain intimates his readiness to assist the committee of governors to assist at the investigation of M. Hoban's case, &c. &c. ;

and intimates same to General M'Murdo.

Observations on "Report of Committee," &c. &c.

context it would appear to have been drawn up in November of last year, and having been submitted to the Governors only on the last day of January of the present year, it would seem to have been fully two months under consideration before it was made public. Indeed it bears all the appearance of being a carefully considered and emotionally worded document and, consequently, one of authority and weight upon the subject under consideration. Some idea of its importance in the minds of the general body of Governors may be formed from the fact, that between 30 and 40 members of the governing body assembled on the 7th February at 3 o'clock, p.m., to adjudicate upon it, although they had but just returned from a very severe day's march in the neighbourhood of Dublin. Indeed the rain came down in torrents during the entire day, continuing till late in the evening; yet, notwithstanding the severity of the weather and the length of the march, it was perhaps the most numerously attended gathering of Governors brought together for many years. I myself had the honour of being present at not a few meetings of Governors during the last five years, and I never remember having seen more than 18 members present, and some of these meetings were called specially for business of importance. Since the 7th of February, the day of the meeting, I looked over the Parliamentary Return of 1866, and I find that during the preceding five years the largest attendance of Governors was on the 14th May, 1864, when there were only 18 members present, and the only other occasion on which any remarkable number of Governors attended was on the 1st August, 1862, when but thirteen members were present, who must have been summoned for some very special business, as his Excellency the Earl of Carlisle honoured the board-room with his presence.

With regard to the Report itself, I think the best plan to adopt is to divide it into parts, and to reply to each part separately.

In reference to the opening paragraph (*viz.*):—

" Report of Committee of Seven to the General Meeting of Governors.

" It will be observed that the correspondence which has just been read to the general meeting began with a direct appeal from Dr. Leonard to Lord Strathnairn for the admission of a boy in whom he was interested, and his Lordship naturally and kindly undertook to recommend the case to the good offices of the authorities."

" I think it would have been only fair to me on the part of the committee, to have brought under the notice of the general body of Governors the peculiar circumstances which compelled me to appeal directly to Lord Strathnairn on behalf of the orphan boy Michael Hoban. I allude, of course, to the refusal of the Commandant to give me any information with regard to the next monthly meeting of the committee of Governors, which might have been held, according to the charter, on any day between the 1st and 8th of the month, *but which, he knew, was about to be held in 45 minutes from the time at which I was speaking to him, and which would not be held again, in the ordinary course of business, until the first, and might not be held till the 8th of the following month, a matter of no little importance in a question of this kind.*

" In the next paragraph of the report, *viz.* :—
" The reply of the Commandant to his Lordship's recommendation, pointing out that the list contains 'a number of more urgent and deserving cases of longer standing,' appears to have given occasion for Dr. Leonard (himself a subordinate of the school) to make a serious charge against his superior officer, and to ascribe partiality in the system of selections for admission, not only in the case of the boy Hoban, but generally as regards the principle by which such selections in his opinion are governed, *viz.* :—a systematic and undue exclusion of Roman Catholics from the school," you will perceive that very serious charges are brought against me, but I am happy to inform your Excellency that it will not be necessary for me to go into any explanation or defense of these charges, as I presume that they have either been withdrawn by the committee of Governors, or the Governors assembled in special meeting on the 18th February must have acquitted me of them, if I rightly understand the letter of the Commandant, dated 21st February, 1870. For I look upon that letter as amounting to a withdrawal of all the charges made against myself by the committee, as it requires me only to reply to the two "allegations" made by me, *viz.* :—First, that the 10 boys admitted (as named in my list) were of inferior claims to Michael Hoban. Second, that there were actually eight vacancies in the school on the 1st September, 1869. I consider myself justified in coming to this conclusion, as I have been, moreover, directed in the same letter by the board of Governors to remember that in furnishing the replies in question I am to "confine" myself "to those two points." However, should I have misunderstood the meaning of that letter, I beg leave to say that I only require to be told so, as I am quite prepared to meet these accusations.

" In the next paragraph of the report, *viz.* :—

" The reply of the Commandant to his Lordship's recommendation, pointing out that the list contains 'a number of more urgent and deserving cases of longer standing,' appears to have given occasion for Dr. Leonard (himself a subordinate of the school) to make a serious charge against his superior officer, and to ascribe partiality in the system of selections for admission, not only in the case of the boy Hoban, but generally as regards the principle by which such selections in his opinion are governed, *viz.* :—a systematic and undue exclusion of Roman Catholics from the school," you will perceive that very serious charges are brought against me, but I am happy to inform your Excellency that it will not be necessary for me to go into any explanation or defense of these charges, as I presume that they have either been withdrawn by the committee of Governors, or the Governors assembled in special meeting on the 18th February must have acquitted me of them, if I rightly understand the letter of the Commandant, dated 21st February, 1870. For I look upon that letter as amounting to a withdrawal of all the charges made against myself by the committee, as it requires me only to reply to the two "allegations" made by me, *viz.* :—First, that the 10 boys admitted (as named in my list) were of inferior claims to Michael Hoban. Second, that there were actually eight vacancies in the school on the 1st September, 1869. I consider myself justified in coming to this conclusion, as I have been, moreover, directed in the same letter by the board of Governors to remember that in furnishing the replies in question I am to "confine" myself "to those two points." However, should I have misunderstood the meaning of that letter, I beg leave to say that I only require to be told so, as I am quite prepared to meet these accusations.

I have to ask your Excellency's special attention with regard to the next portion of the Report, as it is one of the utmost importance.

" The questions involved in this correspondence having been referred to the committee of Governors in accordance with the course indicated by the military secretary in his letter to Dr. Leonard, the Committee prefer to submit their Report for the consideration and ultimate decision of the general meeting of Governors on a matter in which, as it will appear, their own conduct is practically brought in question, and which, in a disciplinary point of view, affects the harmony and well-being of the school.

" It

"It is desirable, therefore, in the first place that the system of selection adopted by the committee should be clearly understood by the general meeting. It is as follows:—

"1. The names of the boys who are eligible for admission to the school are entered by the commandant in the accompanying form A. :—"

System of selection of candidates for admission.

"A."

(A.)

Names of Ten Boys alluded to in Dr. Leonard's Letter of 24th September 1889.

No.	Class.	Christian Name of Boy.	Age.	Father's Trade and Name.	Service.		No. of Children.	Remarks.
					Years.	Regiment.		
1	3	Blasius - -	11½	Sergeant Kearney - -	23	R. A.	2	Boy 13½.
2	4	William Edward - -	9½	Sergeant Joyce - -	21	7th, 5th Regt.	6	G. C. Mould and Grocery.
3	3	Richard John - -	8½	Sergeant Davies - -	21	70th.	7	1 Boy in.
4	4	James - -	16½	Gunner McDonnell - -	21	R. A.	7	Gunner Mould, Clerk for School.
5	2	Michael - -	7½	Private O'Brien - -	20½	6th Br. Div.	2	No list submitted this month, but on account of this boy being 11½ years, his name was specially submitted and approved. See minute. Discharged on account of severe wounds. Reason: Under the circumstances boy's name to be entered for admission.
6	4	James - -	11½	Colonel-Sergeant Loneragan - -	14	4th.	4	
7	4	James - -	8½	Private Walsh - -	24½	9th Dragoon	3	
8	4	Michael Patrick - -	8½	Sergeant Bennett - -	31	24th	6	
9	4	James Nat - -	8½	Lance-Sergeant Fleming - -	20½	5th.	6	Medically unfit, and brother Lawrence submitted by permission of Committee, 2nd August.
10	3	John - -	10½	Sergeant O'Connell - -	24½	1st Lt.	6	

"In this Table there are entered according to the provision of the charter (page 35), their ages are respectively given, together with the service of the fathers and the number of children in each family."

It appears from this part of the Report that the names of the boys who are eligible for admission to the school are entered by the commandant in the form "A," as just given. With regard to that form, I wish to draw your Excellency's attention to the fact, that there is no column provided to supply information to the committee of Governors of the means of support for the applicant for admission and the other members of the family; nor is there any column to inform the Committee as to the length of time an applicant is actually on the list as duly qualified for admission.

Now, I respectfully submit that these are two items of information which ought to be supplied to the Committee of Governors, and which should have some influence on their decisions with regard to claimants of the same class according to the Charter. Take for example the cases of Charles Loneragan and Thomas Fleming, both fourth-class cases according to the Charter. The former (C. L.) applied for admission, certainly not earlier than the month of May 1889. His father, no doubt, received a wound in action, and was consequently discharged, after 14 years' service, on a pension of 2 s. per day, and has since obtained a situation in the Castle Yard as messenger, at a salary of 36 l. 10 s. per annum, with quarters, firing, and gas-light free of all expenses. He is consequently worth on the whole upwards of 70 l. per annum, besides his free quarters and other perquisites, which may be value for about 10 l. per annum. He had only his wife and three children to support at the time Charles's name was before the committee for admission, James, the older boy, being already provided for in the Hibernian School. The latter (T. F.) applied for admission some days previous to the 18th June 1888, or about 11 months previous to the former applicant, according to the statement of the father of the child. This poor man remained in the army until he was completely broken down by illness, having spent the last five months of his service in a military hospital, and the succeeding three or four months—in fact all the time he lived after he had left the army—were spent in a Dublin hospital. The colonel of his regiment testified that his "character" was "good;" that he was "in possession of five good-conduct badges;" that he was discharged after "23 years and 116 days' service," as corporal and lance sergeant, on a pension of

Cases of C. Loneragan and T. Fleming compared.

1 s. 3 d. per day, which was the only means of support for himself, his wife, and three children, his eldest son James being already provided for in the Hibernian School. Now, here are two cases of the same class, viz., fourth class according to the Charter. There are the same number of children in each family, the means of support, however, being very different. The length of time of application for admission in the case of the boy whose father was a complete invalid (with a pension of 1 s. 3 d. per day for the support of a family of five) was fully 18 months, whilst the boy whose father was worth something like 80 l. per annum, i.e., including his pension, salary, and perquisites, was admitted in probably less than six months after his first application, and, at least, two months before his poorer brother applicant, who was 11 months his senior on the list of applicants. I have therefore, with all due respect to the Governors, considered it my duty to call your Excellency's attention to the omission of these two items of information in the tabulated form "A" submitted to the Committee of Governors by the commandant, and to the very serious mistakes, if not positive acts of injustice towards the poorer class of applicants, into which the Committee of Governors may be led, although quite unintentional on their part, and arising solely from the omission of the above-mentioned items of information. Should your Excellency take my view of this matter, I would respectfully suggest that two additional columns be provided in an amended tabulated form "A" for the future to supply the necessary information to the Committee of Governors relative to the length of time each claimant is on the list of applicants, and the means of support arising from pension of father, and employment, &c., &c., which can be very easily had, if not exactly, at least by approximation, even as far as the "employment" is concerned, from the present form of "petition."

Croped amended form "A."

"d"
Principle of selection regarding children of soldiers discharged on account of wounds.

"d"
Is the above principle warranted by the Charter?

Proof that it is not, as a general rule.

Principle of selection relative to age of disqualification.

The committee then remark that,

"Lastly, there is a column for remarks, which sometimes contains not the least important information, to aid the Committee in their selection; for a boy whose father was discharged on account of severe wounds, for example, might naturally secure the preference of the Governors, even though there may be other boys of a superior class in the list, but with no such concurrent claims."

"It should be added that the committee sometimes have regard also to the advanced age of a boy towards disqualification, should there be anything in the services of the father to justify their special consideration."

"It will be understood, therefore, that there is a principle of selection exercised by the committee, of which Dr. Leonard is possibly ignorant, but which, nevertheless, is clearly admissible by the terms of the Charter, and it is cherished by the committee, as affording them a very reasonable discretionary power in the exercise of their functions."

With regard to the first paragraph of the above quotation from the Report, I must emphatically say, that I cannot admit, that the committee of Governors are free to lay it down as a general principle (if that be the meaning of the paragraph just referred to), that they are at liberty to select for admission those boys whose fathers are alive, because they happen to be discharged on account of severe wounds, in preference to boys whose fathers are dead, whether they died on foreign or home service.

In proof of my opinion, I have only to direct your Excellency's attention once more to the rules laid down in the Charter, as given at (page 16), where the Governors are required, as a general rule, to select children in the following order: First, total orphans (that is, boys deprived by death of both parents). Secondly, those whose fathers are dead. Thirdly, those whose fathers are alive, but who are deprived of the care of their mothers; and, fourthly, those whose fathers and mothers are both alive, but whose fathers may be on foreign service, &c., &c. I am willing, however, to admit that an odd exceptional case of this kind may arise, where the father, who was discharged on account of wounds, has only a small pension, and is, perhaps, burdened with a large and helpless family, and where it may so happen, that the nature of his wounds prevents him from following any kind of employment, whereby he might earn a livelihood for his children.

But, at the same time, I must say, as far as I can judge of the Charter, that the case of Charles Louergan, a fourth-class claimant, admitted in last November, who had already one brother in the school, and whose father was in such very comfortable circumstances, my worth about 80 l. per annum, is not one of those exceptional fourth-class cases contemplated in the Charter, by which such a boy may be at once admitted, whilst M. Hoban, a most urgent and distressing applicant of the second-class, is refused admission, although his widow of mother is burdened with the support of five children, and had no earthly means of support except about 11 l., saved by her husband during his lifetime, and which was fast disappearing in providing food and lodging for herself and five children, from the time of her husband's death four months previously.

And what I have just stated with regard to the first paragraph, I think, may be applied to the second paragraph of "c.c." relative to the age of disqualification, viz., twelve years. In reference to this principle of the Governors, I am willing to grant, that occasionally a case may arise, where the fact of a boy being nearly twelve years old, may supply a reason for his admission at once, and even before those of a superior class. But then I hold, that, according to the wording of the Charter, that should be only an exceptional case, and I cannot see that James Doyle's admission in August last was so necessary, both

his father and mother being alive and in very well-to-do circumstances, with only four children in family, and having his pension as colour sergeant, and his constant employment as a servant, or perhaps a kind of steward on a farm, whilst there were a "number of more urgent and deserving cases of longer standing" than even that of Michael Hoban, according to the commandant himself. Nor can I admit, that "anything in the services of the father can justify this special consideration" of the Governors, as all the Charters of the Hibernian School that I have read placed the orphans first as a general rule, and I certainly am of opinion, that there should be very special reasons for departing from the order laid down in the Charter, which special reasons I cannot recognise or see in the by no means urgent fourth-class case of James Doyle, where there were so many really urgent second-class cases, even "more urgent and deserving" than that of Michael Hoban, as the commandant himself testifies in his letter to the military secretary, 8th September 1868.

With regard to the last paragraph of "a.c.," I have no difficulty in confessing that I was in complete ignorance of the principle of selection exercised by the committee, and I believe, in making this open confession of my own ignorance of this really important point, I may have no hesitation in claiming your Excellency's free and unconditional pardon, as it was certainly a degree of information which I never had the opportunity of acquiring. For how could I possibly know the "principle of selection exercised by the committee," when the register—the public register of the Institution, is a sealed book, as far as I am concerned; and when, so far from being allowed to examine the application papers of my own boys, it was only within the last 12 or 18 months that I was permitted to see their baptismal certificates to satisfy my own conscience, that these poor children under my care were capable of receiving the sacraments, which I was bound in the discharge of my duty as their chaplain to administer to them?

Public register not open to inspection of Catholic chaplain.

And, as to seeing the "Petition" for admission of those not registered as Catholics, although there was strong circumstantial evidence in my possession to throw some doubt on such registration, to say the least of it, such for example, as I tendered to the Governors in the case of Joseph O'Callaghan, who was baptised as a Catholic, and was always reared as a Catholic; whose father was so strict and practical a Catholic, as to withdraw that very child from the regimental school at Corfu, and to send him to a purely Catholic school, perhaps at the risk of incurring the displeasure of his superiors; so far, I say, from being allowed to see his form of "Petition" for admission at once, when I asked it at a general meeting of Governors, my being permitted to do so was opposed by the present commandant in the public board-room in which your Excellency is now sitting, as "a most dangerous precedent." And even, when the Governors themselves assembled in general meeting considered my request a reasonable one, and, as far as I could understand, were almost, if not actually unanimous in granting me the required permission, the present commandant, Lieutenant Colonel Winyard, strenuously opposed the decision of the 12 or 16 Governors present, stating "That he had orders, and that these orders were in existence for a long time, not to allow such papers to 'anyone.'" And, so far did he go in his opposition to the unanimous decision of the large number of Governors present on that occasion, although "himself a subordinate" of the school,* and more or less compromised by the delay of full 13 months in the admission of a second class Catholic child, whom he registered as a Protestant the very day he entered the school, even without consulting the Board of Governors or committee of seven, that I was obliged to speak out before the board, and say, "that I was not addressing the commandant, but addressing the Governors, and asking to see that paper" as the representative of Michael O'Callaghan," the grand-nephew by the father's side of the boy, whose delay in admission, and whose registration as a Protestant, although baptised and reared in the Catholic Church, was then under consideration. And then, so complete is the darkness in which I am kept with regard to those applying for admission, that when requested by parties interested in gaining admission for a child to ask at the public office of the school for the necessary printed form of "Petition," and to forward such "Petition" to the parent or guardian of the child seeking admission, I have been, more than once, refused the very blank form of "Petition," and, consequently, have not had the opportunity of taking even this trivial part, of being the medium of communication, or of even acting as an agent, to speak more correctly, between the parent or guardian and the authorities of the school.

Petition for admission not open to inspection.

The fact of the Governors allowing the Catholic chaplain to see such petition opposed by commandant.

When your Excellency weighs all these difficulties under which I labour with regard to the public register, the application papers, or forms of "Petition," you will not be surprised that I am obliged to plead guilty of not only having been "possibly ignorant" of the "principle of selection exercised by the committee," but of having been actually ignorant of it. At the same time, I must add, that it was quite impossible for me to be otherwise, and I therefore claim your Excellency's kind indulgence.

But now as to the assertion made in the Report, that "the principle of selection exercised" by the committee is clearly admissible by the terms of the Charter, and it is cherished "by the committee as affording them a very reasonable discretionary power in the exercise of their functions," I will first of all remark, that I never in any portion of my correspondence up to the 26th October 1868, the date of my communication addressed to them by direction of Lord Strathnairn, and upon which correspondence this Report is founded, stated that the committee had no discretionary power whatever in applying the rules of the Charter.

On

On the contrary, I laid down that principle myself in my letter to the military secretary, dated 24th September 1869 (at the very commencement of this correspondence), in the paragraph commencing as follows: "Now as the admission of children is supposed to be regulated by the rule laid down in the Charter unless in exceptional cases," &c. &c. (see page 19), and therefore I will ask your Excellency to bear in mind that the question now to be decided is not the existence of that "discretionary power" of departing occasionally from the terms of the Charter, but whether that "discretionary power" was wisely and prudently exercised in the selection of children for admission previous to the 8th September 1869, whilst there were a "number of more urgent and deserving cases" than that of M. Hoban, according to the terms of the Charter, which are as follows:—

"And our further will is, and we do hereby direct that in the selection of children preference in general shall be given,—

"Firstly—To orphans."

"Secondly—To those whose fathers have been killed, or have died on foreign or home service."

"Thirdly—To those who have lost their mothers and whose fathers are absent on duty abroad."

"Fourthly—To those whose fathers are ordered abroad on foreign service, or whose parents have other children to maintain."

I really cannot see how plainer, more explicit, or clearer words could possibly be employed to convey the intentions of Her Majesty (that the above classification was to be the rule in selecting children) the departure from that order the exception. In reference to the use of that discretionary power, I think I have already given sufficient proof of at least a doubt as to whether it was wisely and prudently exercised for some time previous to September 1869, or at least that some explanation of its use was required, and that is all I stated in my communication to the military secretary of the 24th September 1869, which letter has given rise to this protest, but, I trust not altogether useless correspondence. And I even now presume to assure your Excellency, that before I conclude my observations on the "Report of the committee of seven," I shall be able to bring forward additional evidence that "explanation was not only required" in September last, but that it is more than ever necessary, if possible, since the report of the committee was made public. I shall now continue my comment on the report, and the portion I am now about to treat of is of no less importance than any of the preceding paragraphs.

"With regard to the religion of the respective candidates it is sufficient at this stage of the report to state that it is never known to the committee. The commandant is required to confine the information he submits to the committee strictly to the subjects of the various columns of the form. Hence, the governors exercise an unbiased judgment in making their selections from the list; nor do the committee of governors follow the list according to the order in which it is made out by the commandant (and this fact may be taken as a proof of the care, discrimination, and independence with which the governors weigh the several claims of the candidates); thus, taking the list submitted to the committee for last month (October), the order of selection noted by the chairman as numbered from the head of the list is as follows, 1, 6, 4, 2, 5, 11, 12, 7 (two blanks), 8, 9, 3 (three blanks), 10. Then follow 22 other blanks or names of boys for whom there were no more vacancies on that date. Such then is the system of selection pursued by the committee; it appears to guard against injustice, and in their opinion, "works well on the whole."

In the above extract from the report, the committee assure the governors, first, that the "religion of the respective candidates is never known to them," and, of course, their statement is worthy of all credit; and, secondly, that the commandant is not permitted to furnish any information, unless what is to be found in form "A," given at page 25, in which there is no mention whatever of the religion of the candidates. So far so well. Then the committee go on to deduce, as a matter of course, a conclusion, which must mean, if it means anything, that there is no possibility of the question of religion having the slightest influence in the admission of children into the Royal Hibernian Military School, because the governors are in complete ignorance of the religion of the candidates when deciding on their claims. Now, I cannot admit, that the above conclusion follows as a matter of course from the premises; because, although the committee of governors are kept in ignorance of the religion of the candidates, still the commandant, who prepares that list, who draws it up, who selects from the complete list of applicants, perhaps numbering 100 or 150, the small list of children, say, 20, 30, or 40, "recommended" by him for admission, is well aware of the "religion of the respective candidates;" and, although I am not going to assert, that the present commandant has been actually influenced by that knowledge, in the preparation of his lists, still, I am bound to say, and I say so without the least fear of contradiction, that a commandant has it in his power to so prepare his list, that the governors, although perfectly in the dark with regard to the religion of the candidates, may, as a matter of necessity, be obliged to select a very large proportion of children who are not of the Catholic faith, although perhaps with claims inferior to those who are of the Catholic faith, taking the whole list of applicants into consideration. I will endeavour to make this proposition intelligible, as it is one of the utmost importance.

From the Parliamentary Return of 1866, page 17, it appears that there were 97 applicants actually entered on the list for admission; 51 of those applicants were baptized in

Rules of Charter
for selection of
children.

* f
Religion of candi-
dates not known
to committee of
governors.

* g
Inference of com-
mittee

Does not follow
from premises.

in the Catholic Church, and only 46 were baptized in the Protestant Church, including all the different denominations of Protestants. The "committee of seven" met in the usual course of business on some day between the 1st and 8th of April or May following, for the admission of children, according as vacancies actually occurred or were expected.

According to the "report of the committee of seven," marked "d," "d," page 24, it was the duty of the commandant to prepare a special list of boys recommended by him for admission according to form "A," given above, page 25, in which there is no mention of religion, lest the committee might be influenced by any such consideration. The commandant, in preparing his "partial" list of boys, recommended from the general list of applicants, laid before him, as a matter of necessity, the "petitions" of each applicant, or at least a summary of the "petitions." Now, in those printed forms of "petitions, certificates, and list of questions," on the first page, the commandant is informed of the "religion of father and religion of mother." This item of information is put in the most prominent part of the entire sheet. Indeed, it seems quite out of place, as it actually takes precedence of "the humble petition of A. B.," although addressed "To the Right Honourable and Honourable the Governors of the Royal Hibernian Military School."

Frequent mention of religion in form of petition.

Then, turning over page one and looking at page two, the commandant has there before him in the very first line, and therefore in an equally prominent place, the fact that somebody certifies "that the child claiming admission has been always brought up in the Catholic, or Protestant, or Presbyterian faith," as the case may be.

I have already explained to your Excellency that the commandant was informed in the most prominent part of page one of each child's "petition" of the religion of the father, as well as the religion of the mother; and that in an equally prominent portion of page two, he learned that the religious faith in which the boy applying for admission "has been always brought up;" and, last, in looking over the baptismal certificates of the children, the marriage certificate, and other documents of that kind, the commandant should forget the information he required in page one, he is again reminded of it, for in the very last answer in the list of questions at page three of the "petition" he is again informed of the "religion of the father," and the "religion of the mother."

And, what is still more extraordinary in the form of "petition," is, that after the poor father, or mother, or guardian, in the case of a total orphan, has supplied so much information relative to the religion of the father and mother in two distinct places, and relative to the religion of applicant by supplying the original of his baptismal certificate, as well as the information relative to the religious faith in which "he has always been brought up," the old form of "petition" is brought to a conclusion in the following terms:—

"It being particularly desirable to ascertain *correctly* the religion of the parents of all children admitted into this institution, it is requested that the same may be certified by the minister of the parish, or in his absence, by the nearest magistrate," from which it would appear that the signature of the magistrate was only valid, when the "minister of the parish" was absent, or, in other words, the Protestant rector was the only proper person to testify that a Catholic father and mother were Catholics. But in the form issued last August the signature of a clergyman suffices. I would wish to forward to your Excellency a copy of the old and new forms of "petition," but cannot do so conveniently; for, although having applied to the governors in special general meeting on the 18th of last month for one or two blank copies of that particular printed form, as useful to me in preparing my reply to the report of the "committee of seven," I regret to inform your Excellency, that I have got no other answer to my request, except that my letter was brought under the notice of the governors on the 18th February, 1870; and I fear that "silence" on their part cannot be interpreted as "giving consent" in the present circumstances. However, the secretary, of course, will supply a copy of each should your Excellency so wish.

Form of petition in use till August last.

Having said so much of the form of "petition," which the commandant must necessarily have in hand, when preparing his special list of boys, as recommended for admission, is there not a possibility, at least, that he may be more or less influenced in his selection of the children for recommendation to the committee, by either the religious faith in which the children were baptized, or always reared, or still more so, by the probable religious faith in which they will be registered if admitted into the institution? In fact, I do not really know how the most impartial man in the position of the commandant could possibly manage to banish all idea of religion from his mind in preparing that list, so frequently and so prominently is the question of religion brought before him in that very form of petition, which he must of necessity consult in preparing his list for the committee of governors; and, certainly, any commandant of strong religious feelings has the means and facilities of favouring one class of applicants more than another if he so pleases.

Proof of possibility of commandant being influenced by religion of candidates.

But it may be objected, that the committee of governors can undo all the commandant's work by not following the order of his list. In reply, it is sufficient to say, that since the question of religion is not mentioned in the tabulated form "A," prepared for the committee, there need not be one Catholic name at all on that list if the commandant so pleases. And who is to report the matter? Not the secretary, for he is "himself a subordinate of the school," and of course it would not be very prudent on his part to bring a "charge of unfair dealings" of that serious nature against his "commanding officer," particularly with the experience of the trouble I have been put to, although I was never found guilty of having brought such a "charge" but was merely suspected

Objection to foregoing.

of having indirectly hinted "a charge of inaccuracy," and have been acquitted by the general board of governors on the 18th of February last of even that alleged fault without having been called upon to defend myself, if I understand the commandant's letter of the 21st of February correctly.

It certainly would not be the duty, or the business of the clerk of the institution, who probably could give such information to the governors, as he is in the secretary's office, for the still stronger reason, that his position is so much inferior to that of the secretary. And these are the only two officials who know anything concerning the applicants for admission. So that really it is in the power of the commandant to so prepare his list, as to exclude Catholic applicants, even though they may be more entitled to admission according to the "terms of the Charter," and though the committee of governors may be most anxious to exclude, and do really, so far as it is in their power, exclude all idea of religion in the selection of candidates for admission.

I think, therefore, I am justified in inferring that the promises, given in the first and second parts of the "Report" marked "f" & "f," by no means warrant the conclusion indirectly drawn by the committee in page 28 (though not expressed in words), viz.: "that there is no possibility of the question of religion having the slightest influence in the admission of children into the Royal Hibernian Military School, because the committee of governors are in complete ignorance of the religion of the respective candidates when deciding on their claims, according to the form A, in which there is no mention of the religious belief of the applicants themselves, or the parents or guardians of children, seeking admission," since the commandant may be influenced in preparing his special list, which special list may not contain more than one-third or perhaps one-fourth of the entire list of applicants.

Your Excellency will please bear in mind, that I am not stating that religion has been taken into account by the commandant in preparing his list for the committee, but merely commenting on the conclusion deduced by the committee of governors from the two facts, first, that they do not know the religion of the applicant, &c. &c.; secondly that the commandant is not allowed to furnish them with that kind of information. (See portion of the Report "f" & "f," page 28.)

With regard to the statement of the committee in same paragraph of "f," that the committee do not follow the order of the list "as it is made out by the commandant, and this fact may be taken as a proof of the care, discrimination, and independence, with which the governors weigh the several claims of the candidates," &c. &c., I certainly am of opinion that, although the passage may at first hearing sound well, there is very little in it. I am not aware that any one asserted, that the committee were under the control of the commandant, that it became necessary for them to assert their "independence" of him. And, if the fact of the committee being obliged, in the performance of their duty as governors, to depart from the order recommended by the commandant, is to be considered "as a proof of their care and discrimination" in weighing the several claims of the candidates, some might infer that this fact is an indirect "proof of the want of care and discrimination" on the part of the commandant in preparing that list, although the same commandant appeals to the committee in page 81 of the Parliamentary Return of 1866, to bear testimony "to the pains" he has "invariably taken in discharging" his "duties in this matter."

The report gives the order followed, or the selections noted by the chairman, Oct. 1st, 1869, as follows: "1, 6, 4, 2, 6, 11, 12, 7 (two blanks), 8, 9, 3 (three blanks), 10 then follow 22 other blanks," or names of boys, for whom there were no more vacancies on that date." Let us analyse this passage, and endeavour to come at its meaning, as a copy of this list has not been supplied to me, although asked for at general meeting of governors, 18th February, in my communication of 18th February, duly submitted according to commandant's letter of 21st same month.

It appears from the report itself, and from the subsequent correspondence, that out of the total number of applicants on the list on the 1st of October, 1869, say, 100 or 150 in all, or at least some number more than 39, the commandant prepared a list of 39 names, as recommended by him for admission, which list was duly laid before the governors on same day. It is acknowledged now that the "order of the list of 39 names," just referred to, was not arranged according to the classification of the charter, nor was it according to the date of being entered on the list of applicants, but was drawn up according to the opinion of the commandant as to their respective claims to admission. Now let us see how far the committee of governors coincide with the opinions of the commandant on that very important matter, the order of admission as recommended on his own list. The chairman, with the consent of course of the committee, and, as far as I can judge from the report, they were all unanimous, allowed the boy, No. 1, to get the first vacancy, but to fill the second vacancy the committee pass over the second and third on the commandant's list, and select No. 4. Now as the commandant must have been aware that there were only 12 vacancies to be filled that day, the boy whose claims he considered to be only thirteenth in order, and therefore not entitled to a place at all that month, was considered by the chairman and other members of the committee deserving of the third place vacant, or expected to be vacated during the same month, and the boys whose claims the commandant placed as ninth and tenth, were amongst those 27 boys for whom there were no vacancies. If this treatment of the commandant's list on the 1st October, 1869, be a fair specimen of how it is handled by the committee at each monthly meeting, I am sure your Excellency will

Committee do not
always follow order
of commandant's
list.

List of commandant
not according to
Charter.

will agree with me in saying that the sooner the governors appoint others to assist him the better. Indeed, I scarcely think it fair to have such a serious responsibility laid on the shoulders of one officer as to decide upon the respective merits and claims of perhaps 100 or 150 applicants every month. But I will refer to this again before I am done. At present I will merely say, that if all the commissioned officers of the institution, viz., the commandant, secretary, surgeon, and the Catholic, Protestant, and Presbyterian chaplains, were to form a sub-committee and meet on the last Wednesday of each month, they might all give the commandant the assistance of their advice in determining the claims of the respective candidates, and prepare such a list for the committee of governors as would prevent them from being obliged to upset the order of the list, as they tell us in the report they were obliged to do on the 1st of last October. Of course the governors in this plan would still be the proper authorities to decide finally on the claims, and would not lose a particle of their power.

The next paragraph of the report runs as follows:—

"With regard to the specific charges made by Dr. Lecourt, they may be taken in their order, beginning with the case of Michael Hoban."

"S."

"S."

With regard to this passage, I only wish to remark, that I object to the use of the words "specific charges." Lord Strathmair, by his military secretary, more correctly understood my letter 26th September as a "complaint," but neither expression, viz., "charges" or "complaint," conveys my meaning, as in my letter of the 24th September to the military secretary, I only asked for an "explanation" of a statement made by the commandant in his letter to the military secretary, dated 8th of same month, and in my letter of the 26th October, addressed to the committee of governors at the suggestion of Lord Strathmair, I again only asked for some "explanation" of a fact that appeared to require it, viz., how it was, that of 51 Catholic applicants on the list, 13th March 1866, according to the Parliamentary Return of May 1866, thirty-five were never actually received into the institution, whilst of the 46 Protestant applicants on the list on the same day according to the same Return, only sixteen were not so admitted. See letter itself, page 18, for confirmation of my statement.

Catholic chaplain asks for an explanation interpreted as a charge, &c.

The "Report" then gives a simple statement of facts as follows:—

"The date of the position is the 12th August 1869. His name was entered on the list of candidates on the 17th, and this list would have been submitted to the committee on the 1st September had there been any vacancies. The list was, however, submitted to the subsequent meeting (October), and from among 39 names entered upon it, 12 boys were selected by the committee for admission after an examination of their respective claims. Michael Hoban was among the 27 for whom there were no vacancies; it is not improbable, however, that this boy may be brought in at no distant date."

"A."

"A."

In reference to that paragraph, I beg to direct your Excellency's attention to an omission of some information, which, if given, I respectfully submit would have made this passage more satisfactory. I allude to the omission of the list of 39 names as submitted by the commandant, tabulated as in form "A," which of course was at the command of the committee. The only definite information given in that paragraph is, that 12 were admitted, and 27 were not admitted; and that amongst the 27 for whom there were no vacancies, was Michael Hoban. I am sorry, therefore, that I cannot fully analyse that list of 39 names for your Excellency, and classify them according to the charter. I thought to be able to do so, and addressed a communication to the general board of governors assembled in special meeting on the 18th of last month, requesting them to supply me with a copy of that "list as recommended by the commandant," giving as my reason for making that request, that the information thus afforded would facilitate this inquiry; but as yet, I have got no further reply than the letter of the 21st of same month from the commandant, to the effect, "that my communication of the 13th February 1870, was submitted to the governors."

List of 39 names not given in report.

Not supplied to Catholic chaplain, although asked for to facilitate this inquiry.

However, I will give your Excellency all the information in my power regarding that list, and following meetings of committees, as far as such meetings have reference to the case of Michael Hoban. By referring to my register, I find that a boy named Thomas Conolly, one of the 12 selected in October from the list of 39 most probably, was placed under my care as Catholic chaplain on the 4th of November last. This boy had then, and has still I believe, his father and mother both alive. The father is a pensioner on 11*d.* per day, and is a dealer in fish in the town of Armagh, and the wife helps her husband by the calling of a midwife. He has two children 24 and 21 years, and five others aged nine, seven, six, four, and two years respectively. I cannot say whether Thomas is included in that number or not; but supposing that he is not included then, as the children aged 24 and 21 are at least able to provide for themselves, if they do not actually assist their parents in supporting the others, there are precisely the same number of children in John Conolly's and the Widow Hoban's family; the means of support being very different. Yet Thomas Conolly, a fourth-class case according to the Charter, was admitted as one of the fortunate 12 on the 1st of October 1869, whilst Michael Hoban, the son of the Widow Hoban, without any means of support for herself and six children, is "amongst the 27 for whom there are no vacancies." It may be said that Conolly's 21 years' service entitled him to a preference for his son Thomas, as the committee seem to attach great importance to that point when considering claims. However, poor

4th class case admitted before M. Hoban; a 2nd class case 1 October 1869.

Michael Hoban is not the only second-class case amongst the 27 for whom there were no vacancies.

And before Daniel and Joseph Brester, both 2nd class applicants.

Although their father was 50 years in Her Majesty's Service;

and although their mother was 18 months applying for their admission,

and was in great poverty.

Consequently solely responsible for monthly list furnished to committee.

"C"
Charge(s) accused of bringing a charge of insaccuracy against commandant;
"47"

but before he was required to defend himself this accusation was withdrawn.

On the same 1st October, there was another poor widow named Brester, living in Templemore, with two sons on the list of applicants, viz., Daniel, more than 11 years of age, and Joseph, something more than nine years. She has two daughters married, and two sons enlisted as soldiers, and consequently no burden to the mother. Besides Daniel and Joseph, she has certainly two, if not three other children, depending on her for support. Her husband, Henry Brester, was pay-sergeant in the 66th Regiment, and served his full time, 21 years. After his discharge from the army, he joined a militia regiment in Alnwick, and died the 9th August 1867, after 12 years' service in the militia, making in all 33 years' service as a soldier and a non-commissioned officer, in various grades, and closed his military life and his days as a sergeant major, the highest position, I believe, he could aspire to as a non-commissioned officer. I think, therefore, that it will not be unreasonable on your Excellency's part as president, whatever it might be on mine as a "subordinate officer of the school," to ask the commandant or committee for some explanation how the "terms of the Charter" were observed on the 1st October 1869, if it be true that Thomas Conolly, a fourth-class case, was admitted and allowed to join the "establishment," early in November, whilst M. Hoban, and particularly the two brothers, Daniel and Joseph Brester, "were among the 27 for whom there were no vacancies." I forgot to mention that the mother of the two Bresters certified to my informant, that she is applying about eighteen months for their admission, whilst Thomas Conolly was only "entered on the list" of applicants on the 26th of June, or little more than three months before the date of admission, 1st October, and little more than four months before the date of his joining the establishment, 4th November 1869. I also forgot to mention that the Widow Brester's only means of support for herself and four or five children at home with her, were the profits on selling a little butter and eggs at the gate of Templemore Barracks, to the soldiers who wished to assist a poor struggling woman endeavouring to supply food to a large and helpless family. Indeed, the profits arising from such a business must have been very trifling, when it is borne in mind that it was only at the gate of the barracks that she was allowed to carry on her business, as there was another woman, a sister of one of the soldiers I understand, allowed the privilege of entering the barracks, and selling the same wares in the soldiers' messes. So miserable were her means, that I have it from undoubted authority, that she could scarcely provide one really good meal a day for herself or children. When your Excellency considers that she was the wife of a pay-sergeant in the 66th regiment for some years, and of a sergeant major of militia for 11 years preceding her husband's death; that he had spent 33 years in all, and I believe actually died in Her Majesty's service; I think your Excellency will admit that her condition was certainly a trying one to be reduced to, and one well worthy of the kind consideration of the commandant in preparing his monthly list of boys as recommended by him for admission, for the "economies of seven," for the preparation of which he alone is "solely responsible," as he himself informs us at page 61 of the Parliamentary Return (308), of May 1866, in reference to the somewhat similar case of Joseph O'Callaghan. I beg to inform your Excellency, in conclusion, that these are not the only cases that seem to require explanation; but I really feel that I am trespassing too long on your valuable time, and will defer my evidence with regard to other extraordinary admissions and non-admissions to a future occasion, when I hope to be able to give that assistance in investigating the case of M. Hoban which was offered to the committee, and General M'Murdo as their chairman, on so many occasions, but of which they did not, for some good and solid reasons, of course, avail themselves.

I now give the succeeding paragraph of the "report,"—

"Adverting to the second paragraph of his letter to the Military Secretary, dated 24th September, 1869, in which Dr. Leonard specially charges his commanding officer with 'insaccuracy,' Dr. Leonard would appear, in the first place, to have fallen into the error of regarding the classification laid down in the Charter as absolute, and has thus hazarded grave accusations of partiality upon erroneous conclusions."

In reference to the first portion of this paragraph, I suppose the accusation here brought against me has been either withdrawn, or I have been acquitted by the Governors, as I stated above in reference to part marked "c.e." But, really, I cannot allow this opportunity to pass without calling your Excellency's attention to the very indefinite way in which these different accusations are brought against me. For example, to "charge my commanding officer with insaccuracy" may mean that I charged him "with insaccuracy which occurred on his part from mere inadvertence, or from want of sufficient care, or from gross negligence, or from design and malice." Now, it is quite clear that my guilt would vary in intensity according to the grade or degree of "insaccuracy" which I attributed to him.

Again, on my part, I might have made use of an expression which only indirectly insinuated one of the above degrees, and, perhaps without much reflection; or I might with full advertence and malicious intent have made some one of the above charges against the commandant. Now, of course, my defence should vary according to the nature of the charge against me, and, therefore, if I have misunderstood the letter of the commandant of the 21st of February last as a withdrawal of all these charges, with the exception of

"two

"two allegations" specially reserved, I must beg of the committee to be more definite in the charges themselves, and particularly in marking out the portions of each letter, which they rely upon as giving the grounds to make these accusations against me. And what I say of the accusation in paragraph "ii," holds to some extent with regard to all the other accusations brought against me.

With regard to the "charge of inaccuracy," perhaps the committee may perceive by this time that the general board of governors were right in not asking to persevere with that accusation, as the real strength of my case is founded on the "accuracy" of the commandant's statement, that on the 8th September the list contained a "number of more" "important and deserving cases of longer standing" than that of Michael Hoban. Indeed I had abundant proof in my own possession that such was really the case. So that nothing was further from my mind than to charge him with "inaccuracy."

In reference to the concluding portion of the same paragraph, viz.:—"That I must have fallen into the error of regarding the classification of the Charter as absolute," I beg to inform your Excellency that my letter of the 24th September last, which may be seen at page 18, clearly shows that I did not fall into any such "error," as the following few lines in the beginning of the third paragraph of that letter will clearly prove, viz.:—"Now, as the admission of children is supposed to be regulated by the rule laid down in the Charter, *unless in exceptional cases*," &c., &c., so that, it is the committee who appear to have fallen into a mistake relative to the meaning of my words, and not I, with regard to the meaning of the words of the Charter.

The "Report" then goes on to say:—

"Without entering into questions of the number of children admitted between 1st of March and 31st August, whose claims Dr. Leonard allows to have been superior to that of Michael Hoban, or those which he deems to have been equal, it may be sufficient to consider his assertion, that within the above dates 10 children were admitted with claims inferior to this boy. The names of these boys, as given by Dr. Leonard in his list (B) are tabulated in the usual form (A), which will enable the governors to judge whether Dr. Leonard was justified or not in making this assertion; but the following synopsis may assist them in doing so. The lengths of service of the fathers were:—

- "Two of twenty-four years and upwards.
- "Two of twenty-two years and upwards.
- "Five of twenty-one years and upwards.
- "Hoban's father, fourteen years and nine months.

"Thus, with the exception of one, these are old soldiers who served their full time, and therefore, as other convenient conditions or circumstances presented themselves in their favour, the committee are still of opinion that their claims as compared with Michael Hoban's are not inferior, even though the latter belongs to the second, and the others to the third and fourth classes."

Of course it is not for me to say what the governors here assembled will say regarding my statement concerning the 10 boys who entered the Institution between the 1st of March and 31st August, whom I considered inferior in classification and claims to Michael Hoban according to the Charter. All I can say is, that my opinion is unchanged; for I consider the wording of the Charter as clear and as explicit as terms can possibly be. See page 23 *Rules and Regulations* for Charter itself, and page 16 of this reply for copy thereof, and pages 17-18 for proof of my opinion that these 10 boys were inferior in claims according to the Charter. I have since examined all the Charters that I could, put my hand on from the reign of George the Third down to that of Her present Majesty, and I find that *one and all place the "orphans" first in the order of selection*, and in no case copy can I find the least trace of the R. H. M. School having been either founded, or continued in existence specially for the children of "old soldiers who served their full time," as the committee would have us believe.

In reference to the case of James Lonsorgan, as given in next paragraph,

"With regard to the exception made in the case of the boy James Lonsorgan, whose father had 14 years' service only, the circumstances under which this boy's name was entered for admission are recorded in the minutes of the committee, at their meeting in June last, in effect as follows; that there being no list of vacancies for that month, and the boy being 11 years 11 months of age (that is within a month of being disqualified), the committee took into their special consideration the fact that the father, a colour sergeant, had been discharged by reason of the severity of wounds received in action, and directed that the boy should be admitted accordingly;" it is sufficient to remark here, that I have expressed my opinion of it at page 17 of this reply, and I am ready to stand by that statement. And I have, therefore, now only to add, that your Excellency will perhaps be surprised to learn, that not only was James Lonsorgan admitted in June last, but that his brother Charles was admitted probably on the 1st November, and was actually taken into the institution on the 13th December of last year, although a fourth-class case according to the Charter, his father being worth about 80 l. per annum from his pension and employment, and with only two children in family at home (besides James and Charles who were in the school), whilst Michael Hoban and the two Bresters alluded to before, "were among those for whom there were no vacancies."

No grounds for the above accusation.

"j"

Another principle of governors in the selection of candidates

"j"

apparently opposed to the Charter.

"k"

Case of James Lonsorgan, see p. 17, for another view of this case.

"k"

Case of Charles Lonsorgan.

The next paragraph marked is as follows:—

"That this boy, or the others mentioned by Dr. Leonard, were Roman Catholics, was not known by the committee prior to the receipt of his list. The whole question is short can only be regarded as one of ethics, and in the belief that the governors in general meeting will be satisfied that their committee have discharged their duty faithfully, and that, therefore, the statements of the Rev. Dr. Leonard, in regard to the admission of these 10 boys, are unfounded; the committee do not propose to follow the reverend gentlemen in his arguments by which he arrives at the conclusion, that within the dates specified there were 'about 30 children admitted, with claims inferior to those of Michael Holan,' even if they were prepared to admit the soundness of the reverend gentleman's reasoning."

This paragraph requires no comment from me, except to say, first, that I never stated nor intimated that the religion of this boy was known to the committee, and that the whole question, instead of being "one of ethics," is one concerning the observance of the charter in the admission of children; and, secondly, that I still am under the same impression that my statements in reference to the 10 boys referred to, are unfounded, provided the rules of the charter are in force as to the classification of children seeking admission into the institution.

The next passage of the Report is as follows:—

"Before dismissing the particular case of Michael Holan, however, the committee desire to remark that the statement made by Dr. Leonard to Lord Strathnairn, in his letter to the military secretary on the 24th September, to the effect that there were 'actually eight vacancies in the school on the 1st September, when this boy's case should have been submitted,' is devoid of foundation."

"On reference to the minutes of the meeting, it will be found that, as no vacancy existed on the date in question, consequently no list of candidates was submitted to the meeting for September."

With regard to the statement referred to, I am of opinion that the real question at issue is, whether I had sufficient grounds for making that assertion or not, and I respectfully submit that I had. Furthermore, I feel confident that your Excellency will be of the same opinion, when you shall have heard my reasons for making that statement to Lord Strathnairn, in my letter of the 24th September last to the military secretary. The assertion made by me was as follows:—

"It may be also well to direct his Lordship's attention to the fact that there were 'actually eight vacancies in the school on the 1st of the present month (September 1888), when this poor child's case should have been brought under the notice of the Committee.'"

And now for my reasons. On the 1st day of September I found that I had under my care 150 children registered as Catholics. I learned from Sergeant Gordon, and I believe that I could have got the same information from any boy of the first or second division, that there were on the same day 263 children in the school registered as Protestants. I added these two numbers together, and I thus found the total number of children amounted to 402. Now, as in the Parliamentary Return of May 1886, it is certified by the present commandant that the "establishment" consists of "410" boys, I think I had fair and reasonable grounds for concluding that the establishment was eight short of its full complement, and I considered myself justified, therefore, in calling Lord Strathnairn's attention to the fact as given above, "that there were eight vacancies" on the 1st of September last. Whether those eight places had been already filled by anticipation, that is, whether the committee of governors, at their meeting 1st August last, had filled up those places or not, was a matter I never thought of or adverted to, as I was at that time altogether unacquainted with their method of doing business, nor does it really affect the question one way or the other. For if it be insisted upon by the committee, "that, as no vacancy existed upon the day in question" (1st September), consequently "no list of candidates was submitted to the meeting for September," it would seem to follow that, as a general rule, no list of candidates could be ever submitted to the committee on the 1st of any month in the year, as there really would be no vacancies on any 1st of any month during the entire year.

This seems a rather strange proposition, but I will endeavour to make it intelligible, and I, at least, consider it capable of proof.

For, first, as a general rule, the boys who leave the Hibernian School join the army. Secondly, those who volunteer for the army leave the school, as a general rule, between the 25th and 30th of each month. It appears now, from General McMurdo's letter to me of the 20th of December last, per his A. D. C., that "Michael Holan was amongst those 'who were admitted to the Royal Hibernian Military School at the last general meeting of the governors,' which was held between the 1st and 8th December, and this statement is further explained in the commandant's letter of the 21st January of the present year, where he informs me that "the boy Michael Holan stands to-day seventh for admission among those boys marked off by the committee as vacancies occur," and consequently it seems to follow that the vacancies specified in each month, or sometimes in the two succeeding months, as in the present instance, are filled up, as a general rule, on the 1st day of that month or a preceding month, and consequently no sooner do the boys leave between the 25th and 30th of each month than it is true to say there is then no vacancy in the school, although the establishment may be eight (as was the case on 1st September

"Eight vacancies" 1 September 1888, see below for explanation.

Explanation.

Continuation of explanation of eight vacancies.

Michael Holan only 7th on list for joining on 23 January 1870.

tember last) short of its full complement. The same may be proved by the case of Joseph O'Callaghan, as the commandant informs us at page 42 of the Return of 1866, that the same system prevailed in 1864. Here are his own words: "On 1st December 1864, 'the governors ordered the boy's admission (on the usual conditions) to fill a vacancy shortly expected.'"

Is that really if the committee insist upon their statement, that no list was submitted on 1st of September last because no vacancies "existed on the day in question," it would seem to follow that no list should ever be presented on the 1st of any month, as there are then really no vacancies in existence, as a general rule, since the places vacated at the end of each month appear to be always filled up, or at least boys "are marked off" by the committee on the 1st of each month to fill up the vacancies expected towards its close. I say, as a "general rule," because, of course, there may be an occasional exception, as, for instance, if a place be vacated by death, or by the sudden or unexpected withdrawal of a boy before his full time expires; but these are only accidental occurrences which do not affect the general proposition that I have laid down. Why the committee "on the day in question," 1st September 1869, did not follow their usual method of business by "marking off boys" for the next expected "vacancies," it is impossible for me to explain to your Excellency, *more, according to the "Report" itself, they had 12 vacancies on the 1st of September following, which vacancies must have occurred in September.* All I can say is, that in December of the same year M. Hoban "was marked off," and so many others were "marked off" for vacancies as they occur, "that on the 21st of the following month he 'only stood seventh for admission' according to the commandant, and was not actually received into the institution until the 31st of same month. But, of course, the committee of seven will give your Excellency any explanation of their departure from their usual routine on that occasion that you may require.

I give now, in continuation, the next two paragraphs of the Report:—

"The committee have now to notice the numerous references that are made by Dr. Leonard to an alleged disproportion of Roman Catholics to Protestants admitted into the R. H. M. School."

"The committee have already explained the system by which the selection is guarded against sectarian influences, and they reject the inferences which by a partial analysis of 'admissions,' Dr. Leonard has sought to establish."

The first paragraph requires no comment; but as to the second, I beg your Excellency's kind attention for a few remarks. That I have been obliged to content myself with "a partial analysis of the admissions," is certainly not my fault. In proof of which I first of all appeal to the members of the general board assembled in this room on the 18th November last, if they did not unanimously negative my proposal "extracted" from my letter of 16th July 1869, viz., "That copies of every form of petition furnished to the 'secretary by the parents or others in charge of children applying for admission be forwarded to the chaplains of the different religious denominations attached to the institution within seven days of their receipt by the secretary." Secondly, I appeal to the commandant himself if he did not oppose, as "a most dangerous precedent," the permission (almost if not altogether unanimously granted by a rather large general meeting of governors, assembled also in this room on the 2nd of January 1869), to take into my hand, and to examine in the presence of the governors the form of petition of Joseph O'Callaghan, to the extraordinary delay in whose admission and registration as a Protestant, although baptised and reared as a member of the Catholic Church, I have already alluded at page 27 of this Reply. Thirdly, I appeal to the members of the board who assembled here on the 18th of last month (February), if I did not apply in my letter of the 13th of some month for an order from the governors authorising me to inspect the public register of the institution, "containing the names of the boys who are at present, or who were at any time during my term of chaplaincy inmates of the school, and to take any extracts therefrom that I may consider necessary or useful towards the investigation now pending before the board of governors." Fourthly, I appeal to the commandant again to bear me out in my assertion that my letter of the 13th of last month (February), containing that request, was duly submitted at the general meeting on the 18th, and that I can say without fear of contradiction, that said "order" has not, as yet at least, reached me.

I respectfully submit, therefore, that what I stated above is perfectly correct, viz., that I have been obliged to content myself with "a partial analysis of admissions" in this or any preceding communication, is certainly not my fault. And, although I have not much time for work and labour of this kind, I will now undertake to make out a full and complete analysis of admissions, if your Excellency, with the approbation of the governors, will cause me to be supplied with the necessary materials. They are as follows:

"A return" of the names of the boys on the books of the institution for admission on the 13th of March 1866 (the date of last Parliamentary Return), and of those who since applied, specifying the name and surname of each boy, the precise date of first application for admission, the age of the boy on the preceding date, the precise date of being "entered on the list of applicants" (according to the terms of printed circular of secretary "entered on the list of applicants" (if admitted), the class of applicant, viz.: first, second, third, or fourth, mistee of seven" (if admitted), the class of applicant, viz.: first, second, third, or fourth, according to the Charter, the religious faith in which boy was baptised, that in which he was always reared previous to his application for admission, that in which he is now registered

"a."

"a."

Chaplain being obliged to limit himself to a "partial analysis of admissions" not his fault.

Return required to enable chaplain to give a complete analysis of admissions.

registered (if actually received into the institution, or "joined" as it is styled), the name and rank of father, name of mother, the religious faith of father, same of mother, the number of children in family now living, the regiment of father, the period of service, the rate of pay (if serving), and of pension (if discharged and living), in what manner employed, in what manner mother (if living) is employed, nations in which father served, name and address of parent or guardian applying for admission of any child (at time of application), and present address, where such is known to be different from preceding, and lastly, a column for remarks as in form "A," and copies of "remarks" of commandant submitted to "committee of seven," when the names of any of the above boys were recommended by him for admission since the 15th of March 1868, down to present date; the reason any boy did not "join although admitted" by committee (such for instance as being medically unfit, &c.). Although the above return seems complicated, it can be fully and easily supplied from the printed form of "petition" which each parent or guardian has filled relative to each child, and I have followed as far as possible the order of the "printed list of questions" attached to "petition," in order to facilitate the filling up of the form, which might be drawn up, or printed like form "A," only with an additional number of columns.

Order to inspect register, &c.

Not an unreasonable demand proved by custom adopted in North Dublin Union and

South Dublin Union.

None subject contained. Testimony of Canon Brock and Rev. J. Brady.

I will also require an order authorizing me to inspect the public register of the institution, and the petition of any particular boy whenever I consider it advisable, and permission to take any extracts therefrom that I might deem necessary or useful. This request has been with others before the governors since the 18th of last month, and, as they have not given any positive refusal, they are of course free to entertain it still. As a proof, however, that it is not an unreasonable demand, I think it well to mention that some years ago, I called at the North Dublin Union Workhouse, and asked to see the "register." The clerk with the greatest courtesy at once showed it to me, and pointed out the names of the boys and all the particulars as to age, date of entrance, religious registrations, &c. &c., that I required. Again, on Thursday, February 10th, of the present year, I visited the South Dublin Union Workhouse, and by merely giving my name, I was treated in the same kind manner by the master, and shown by him to the assistant-master's office, with directions to be allowed to see the "register." I saw the entry of the boy whose name I gave, the date of entrance, date of departure, religious registration, &c. &c.; and not only was I allowed to touch with my hand and see with my eyes the "register," but the assistant-master kindly supplied me with an extract in writing concerning the boy, who is at present under my care in the Hibernian School.

Last, however, I should have got the above-mentioned information, at either the North or South Union, in any way out of the usual course, I asked the chaplain of the N. D. Union, very Rev. Canon Brock, and the Rev. John Brady, who gives occasional assistance to the chaplain, to visit, separately, that establishment, and ask for the same details concerning any two children on the books as inmates. They did so, and not only did they see the register on different days, but got all the information in writing, signed by the official who supplied it. I took all these precautions in order to be able at the proper time to bring forward these memoranda in evidence, in case the governors should refuse the reasonable request of a similar nature, which I was about to make, and which I actually did put forward on the 18th of last month. Concerning that request, all I can say is, that it was submitted to a special general meeting, on the 18th ult., according to the commandant's letter of the 21st of same month, but I have got no intimation whether it has been conceded or refused up to the present date. I have no hesitation in saying, therefore, that I, as Catholic chaplain, am not acting an unreasonable part in asking for the same privileges, or facilities rather, with reference to the public register in the Hibernian School, as are conceded without difficulty to the Catholic chaplain of the North Dublin Union, and to his occasional coadjutor, with regard to the register of that establishment, and which were also granted to me in both the North and South Dublin Unions, at an interval of some years, though totally unconnected with either institution.

I learned since, that according to the English Poor Law Act, "every minister of any denomination officiating in the church, chapel, or other registered place of religious worship of such denomination which shall be nearest to any workhouse or school . . . shall be allowed to inspect the register which contains the entry of the religious creeds of the inmates at any time of any day, except Sunday, between the hours of ten before noon, and four afternoon" (section 19, Act 31-32 Vict. cap. 122). Taken from the *Catholic Directory for England, 1869*.

If the register of the Hibernian School be still kept a sealed book as far as the Catholic chaplain is concerned, I ask your Excellency to my candidly, is such a proceeding calculated to give increased confidence either to the Catholic tax-payers of this country, or the Catholic soldiers in the army, that everything connected with the admission, and above all, with the registration of children, is carried on in a way that will bear the light of public opinion, and of strict and thorough investigation?

I am now come to the closing paragraphs of the Report, which are marked c, d, and are as follows:—

"The committee are persuaded that so long as the question of religion is shut out as an element in selection, the denominational proportions existing in the establishment
" will

Facilities offered to chaplains to see register of religious creeds of inmates in English workhouses.

The fact of the Grand Register of Royal Hibernian Military School not being open to inspection in reference to institution.

Question of denominational proportions; view of committee.

"will, as a natural result, maintain very nearly the same proportions that exist in the army whence the admissions are derived.
 "Desirous, however, of testing the value of this hypothesis, the committee made an application to the adjutant-general for a return showing the number of Roman Catholic and Protestant soldiers now serving in the army; and this document shows that there are 47,130 of the former to 123,941 of the others, or one Catholic to three Protestant soldiers.
 "The committee do not perceive, therefore, upon what grounds Dr. Leonard raises this question."

With regard to the first of these three paragraphs, it is sufficient to say, in the first place, that it is by no means so clear, that religion may not have some influence in the selection of children for admission, although the governors might not be parties to it, as I have already explained in treating of the portion of the report "p. 17," page 28 of this Reply. For, although the religion of the applicant is not one of the items of information supplied to the committee of seven in form "A" still it is an item of information that is brought under the notice of the commandant in four or five different ways in the forms of "positions," &c., &c., from which he prepares his special list of "boys as recommended for admission" at each monthly meeting of the committee. For instance, on the 13th March 1866, there were 51 Catholics waiting for admission, and only forty-six Protestants of all denominations, making a total of 97 applicants in all, who had established their right to admission "as vacancies occurred and the claims merited." On the 1st of April following, and first of every month since, or nearly so, the commandant prepared his list of 20, 30, or 39 "boys, as recommended for admission." Now, in whatever way these lists were prepared, it so happens, that of the fifty-one boys on the list of applicants on the 13th March 1866, I have only got charge of sixteen. That is, only sixteen were placed under my care, and registered as Catholics, in the school, up to and including the 26th October 1869, or during nearly four years, whilst of the forty-six children baptised in the Protestant Church, the Protestant chaplain has got at least twenty-seven under him, as far as I can understand, up to the same date, and the governors, in their Report, have not called my statement in question. This per centage of admissions is somewhat extraordinary. Yet this is not all. I learned that one of the children returned as baptised in the Catholic Church, was admitted and registered as a Protestant, and what makes the case more remarkable is, that although only 77th on the list, and only a fourth class applicant, he was received into the institution in a very short time, certainly before September of the same year, while 34 other Catholic children have not been received since, that is, during the last four years. Having these and other facts before me, could I be expected to banish from my mind the idea, almost forced upon me, that "religious" and some influence in the selection of children for admission? or, at least, was I not called upon to ask some explanation how it happens that whilst the Catholic applicants on the 13th March 1866, were in a majority, and, according to the commandant himself, were in a much more ignorant and destitute state than their Protestant co-applicants, only a very small minority of this more ignorant and destitute class were admitted? In other words, was I unreasonable in asking the "committee of seven" to get an explanation from the commandant how it occurred, that, whilst the Catholic applicants on the list were 52.58 per cent., only 31.37 per cent. were actually received into the institution as Catholics, when, on the other hand, the Protestant applicants on the same list being only 47.42, had 58.7 per cent. admitted, not taking into account those who were registered as Protestants, although baptised in the Catholic Church, during the same period. That is, was I unreasonable in asking why "there were 68.6 per cent. of Catholic boys either not admitted at all, or were registered as Protestants, whilst there were only 41.3 per cent. of Protestants of all denominations not admitted, and not one baptised as a Protestant" of any denomination registered as a Catholic during the same period," as I informed the "committee of seven" in my communication of the 26th of October last year?

Reasons of Catholic chaplain for thinking that view of committee is generally impracticable.

For further proof, see pp. 29, 30.

As their Report is, I presume, intended as a reply to that communication, let us see how the preceding difficulty is met, how that fact relative to the per centages is explained in the paragraph of the Report now under consideration, viz., the first of the three concluding paragraphs marked a, b, c, which may be put in a few words, as follows: Because the Protestant soldiers in the entire British army are about treble the number of the soldiers in the same army professing the Catholic faith, therefore the number of Protestant children admitted into the Hibernian School ought to be treble of those admitted as Catholics. Now, I respectfully submit for your Excellency's consideration, that I look upon the above statement as no answer whatever to the difficulty proposed to the committee. For I did not raise the question, "What should be the proportion of Catholic and Protestant boys in the school," but "What should naturally be the proportion of Catholic and Protestant boys selected in the ordinary course, according to the Charter, from a given list of applicants," viz. that published in the Parliamentary Return (No. 308, page 17, May 1866), in which the Catholic applicants were actually in a majority, and more destitute, according to the commandant, being 51, whilst the Protestants were only 46.

Opinion of committee concerning the disproportioned proportions not satisfactory.

It may, perhaps be said, however, that the Protestant applicants were all of a "more urgent and deserving class." To that I have only to say, first, that if it be so, the commandant should be called on to explain his statement at page 103 of same Return, as he there appears to give information of a directly opposite character; and, secondly, I have

Objection to foregoing statement.

looked in vain for any statement of that kind in the Report itself, although the committee had the best sources of information at their command.

Again, it may be urged, that a number of very unexpected and very urgent Catholic and Protestant cases came in after the Return was published, whose claims, according to the Charter, superseded a number of both Catholic and Protestant boys on the Parliamentary Return. Well, to that I have only to say, such may certainly be the case, and the Committee have all the necessary sources of information at their command with regard to those claimants, as well as those who preceded them, and as soon as I shall be furnished with the particulars of these pressing claims, I will be prepared to reply to them. For I have this moment before me (in my Register for 1866 and following years) entries of boys not on the Parliamentary Return, admitted and registered as Catholics, whose admission, perhaps, will require just as much explanation as the non-admission of those whose names are on the Parliamentary Return of March 1866. But of these I will say no more until the reply of the Committee is made public.

While waiting for that reply, it may not be inappropriate to direct your Excellency's attention to the question raised by the Committee in the above paragraph relative to "the denominational proportion existing in the establishment," which is stated as follows:—"The Committee are persuaded that, so long as the question of religion is shut out as an element in selection, the denominational proportions existing in the establishment will, as a natural result, maintain very nearly the same proportion that exists in the army whence the admission is derived." With regard to that statement, it might be sufficient to draw your Excellency's attention to the fact, that this hypothesis seems at first sight utterly groundless, as the governors are bound to select from the list of applicants irrespective of religion, according to the report itself. Now in the list of applicants in question, and the only list of applicants perhaps ever published, taken too by mere accident on the 13th March 1866, the Catholics are not merely one to three compared with the Protestants, according to the supposition of the committee, not only are the Catholics equal to the Protestants on that list, but the Catholic applicants are actually in a majority, being 51 Catholics to 46 Protestants, and the Catholics are apparently more entitled to admission on account of the "extreme poverty" of their parents, as the commandant himself testifies.

But this is not all, for the reasoning or supposition of the committee is completely devoid of foundation, unless the Royal Hibernian Military School be the only school of the kind receiving Government aid and support for the orphans or children of soldiers. Now, I am under the impression that such is not the fact: for I understand that there is even a still larger establishment of a similar kind at Chelsea, in which there are about 500 children. I have been informed, moreover, that only about sixty of these are registered as Catholics. However, it may be said by the committee, that they are not answerable for the governors of the Chelsea institution, nor do I at all contend that they are; but I have no hesitation in saying, first, that the fact of there being such a small number of Catholics in Chelsea, may account for the Catholic applicants being in a majority on the list of applicants for admission to the Hibernian School, as they were actually on the 13th March 1866, according to the Return. Secondly, that the fact of the Catholic applicants being in a majority on that date makes it more than probable that these claims were of a superior class, according to the charter, to those of their Protestant co-applicants, and this seems to be admitted at page 103 of same Report by the commandant, who ought to be a good authority on the matter. Thirdly, that the Charter of the institution clearly requires that religion should not be taken into account in the admission of children, and so the committee admit by the rules laid down for themselves, as given in page 28 "ff" of the Reply. Consequently, I hold that the statement made by the committee in the paragraph of the Report now under consideration, relative to "the denominational proportion" which should exist in the school does not meet the difficulty, but even makes it more than ever necessary for the committee to give a more full and satisfactory explanation of how it happened, that so very few Catholics were admitted out of the 51 names on the list on the 13th March 1866, or, in other words, how it happened that 68·6 per cent. of the Catholic applicants on that list were not received, at least as Catholics, whilst only 41·8 per cent. of the Protestants on the same list did not find a home in the institution.

Besides the very large per centage of Protestant children provided for in the Chelsea School, there is a very large fund at the disposal of the "Patriotic Fund Commissioners," which provides support and education for very many children of Protestant soldiers. This also will help to explain why the Catholic applicants for admission were so large in numbers, and so urgent as claimants in 1866, and makes the above per centages still more remarkable.

With regard to the last paragraph, which runs as follows:—"The Committee do not conceive therefore upon what grounds Dr. Leonard raises this question." I will content myself with saying, that I am not the person responsible for raising "this question," but that, since it has been raised, I do not regret it, and I have explained my opinion regarding it.

I have now completed my reply to the "Report of the Committee of Seven," but I think it my duty to explain a few of the difficulties under which I laboured in drawing up that reply. The "Report" was drawn up in November of 1869, but was not submitted

to the governors in general meeting till the 31st January of the present year. It may be looked upon as an answer to a communication of mine, dated 26th October last, addressed to the committee by the directions of Lord Strathmore, and was consequently in course of preparation and under consideration for fully three months. It was placed in my hands only on the 2nd ultimo, accompanied by a letter from the commandant, informing me, that should I "have any further observations to make on the subject," I was "to furnish them" to him with a view to his "submitting them to a special general meeting of the governors."

Having read the Report, I at once made up my mind to reply to it; but, before doing so, I considered it advisable to have certain indefinite and doubtful expressions cleared up, in order to save both my own time and that of the governors. It so happened, that having received the Report on the 2nd, I really had not time to write on either the 3rd, or 4th February, as I was kept rather busy with other duties, and besides, I did not think that my reply to a document of such importance, and which was nearly three months under consideration, would be required for some time, particularly as the commandant seemed to leave that matter pretty much in my own hands in the following passage, with which he concluded his letter of the 31st, viz.: "I am desired to add, that should you desire to be present at that meeting, you would be good enough to inform me, when due notice will be forwarded to you of the day appointed for it."

Your Excellency may judge of my surprise on the morning of the 5th February, that is, in some few hours less than three full days after the receipt of the Report, and before I even acknowledged having received it, to find a letter put into my hands from the commandant, dated the preceding day, of which the following is a copy:—

"Royal Hibernian Military School,
"4 February 1870.

"Reverend Sir,
"THE special general meeting of the governors referred to in my letter of the 31st ult. will be held on Monday next, the 7th inst., at one o'clock p.m., in the Royal Hospital, Kilmarnham, and I am directed to inform you, in reply to your letter of the 28th ult., that you are permitted to attend the meeting on that day, under the conditions granted on former occasions, that is, no reporters of the press can be admitted to the meeting of the governors, and you cannot be allowed to be accompanied by a friend.

"I have the honour to be, &c.
(signed) "H. Wyndham, &c."

That letter was delivered to me at the Hibernian School Chapel about five minutes after nine o'clock on Saturday morning, the 5th February. As Saturday is, generally speaking, not an idle day with Catholic clergymen, it so happened that I was kept occupied from the time I received that letter until half-past nine o'clock that night. I had not one moment to myself to sit down to write to the commandant or governors. However, at the last-mentioned hour, I wrote a rough draft of the following letter, which I copied on the following Monday morning, and which I handed in to the commandant, when I was desired by him to retire from the board room, as the governors were about to meet in a few minutes.

"St. Moobin's, Portarstown, Clonsilla,
"County Dublin, 5 February 1870.

"Sir,
"I HAVE the honour to acknowledge the receipt, this morning, of your letter of yesterday's date, and beg to inform the governors that I will reply to the 'Report of the committee of seven to the general meeting of governors,' received with your letter of the 31st ult. on Wednesday last, the 2nd inst., as soon as I shall have heard from you, with the permission, of course, of the governors, relative to certain points contained in that Report, which to me at least, seem somewhat doubtful.

Letter of chaplain asking for explanation of Report.

"1st. I cannot make up my mind whether the Report conveys the idea, that the 39 names, referred to towards the end of page 4 of the report, is a complete list of all the boys entered on the list of applicants for admission into the Royal Hibernian Military School up to the 1st October 1869, or whether it is a list of those boys only who were recommended by the commandant from the complete list of applicants up to that date; that is, whether the list of 39 submitted to the committee in October last, was a complete, or only a partial list of those applicants who had established their right to admission 'as vacancies occurred, and the claims merited,' according to the terms of the printed circular usually sent to the parents or guardians of applicants for admission, who have supplied all the information required by the form of petition furnished by the institution.

"2ndly. I am in doubt, whether I am to understand the Report to mean, that the order followed on that day, in that list of 39 names of boys (whether it was a 'complete' or only a 'partial list'), was according to the date of each boy's being 'entered on the list,' or, whether it was according to the classification laid down in the Charter, or whether it was in the order in which the commandant recommended them for admission.
"And lastly, I am at a loss to know, whether the rule or system followed on that day, in supplying that list (according to the tabulated form A, which accompanied the Report), has been at all times in force at the meeting of the 'committee of seven,' when selecting subjects

" subjects for admission, or whether it has been only followed for some time back, and if so, for how long?

" By the governors supplying me with the required information on the above three points, I hope to be able to prepare my reply to the Report of the committee with as little delay as the importance of the interests involved will permit; and I will give a week's notice to the commandant, in order that he may be able to communicate with the president and vice-president of the institution, to arrange a day for the meeting of governors, when, I trust, both may find it their convenience to be present at it.

" You will also be good enough to inform the governors that I will be present at their meeting on the 7th instant, but by my presence I must not be supposed to be a consenting party to the justice of the conditions imposed, viz., that 'no reporters of the press' can be admitted to the meeting of the governors, and that I 'cannot be allowed to be accompanied by a friend.'

" I have the honour to be, &c.

(signed) "J. Leonard."

Meeting of 20-
venerary, 7 February
1870.

As I was excluded from the board room for the next 55 minutes, I cannot inform your Excellency what occurred during that time, but must refer you to the commandant, who was present. When I was admitted, I was informed by the chairman, that the governors had considered my complaint and correspondence regarding the case of Hoban; that they had considered the report of the committee and my letter of the 5th February, and they wished to know if I had anything else to add relative to the case of Hoban, or something to that effect. As well as I recollect, I replied as follows:—"I had received a copy of the report of the 'committee of seven.' There were certain points 'in the document which I really could not understand. I wrote a letter concerning those points, and I would expect a written answer." Lord Strathmair then took up some papers, amongst which there was a very large sheet of printed matter, apparently a copy of the report of the committee, if not of the entire correspondence, and looking towards me, he spoke substantially as follows:—"The points you are in doubt about 'don't seem to regard the question of Michael Hoban, but the general question of admission, for the list of 30 is a part of a list of 159 applicants. Will you be good enough to tell us, in what way the doubtful points bear upon the case of Michael Hoban?" I replied, "I will be very candid with you, my Lord. I do not think it altogether fair (I don't like to use the word unfair), but I certainly must say, that I do not think it altogether fair or right, that I should be called in here, in the presence of so many gentlemen, and asked questions in this way, when there is no one here to report or note down the questions put and the answers given, and when you have refused me permission to be accompanied by a friend. And I must now firmly, but at the same time respectfully, decline to answer any questions." Lord Strathmair then said something to the effect, that it was not usual to have reporters present at the meetings of governors, to which remark I made no reply, although I certainly felt inclined to do so.

As soon as the chairman had ceased to speak, there was some conversation in an undertone between the governors, and after a short time Major General M'Murdo, who was, I believe, the chairman of the "committee of seven," read a passage from one of my letters (I think that dated 24th September), and asked me some question which I cannot call to mind. I replied: "General M'Murdo, I have promised in my letter of the 5th to reply to the Report of the committee, as soon as the doubtful points shall have been cleared up. I have just told Lord Strathmair that I must decline to answer any questions at present, but if you be good enough to put your question in writing I will reply to it also in writing." Then there was some desultory conversation in a half under tone among the governors, which sounded on my ears like complaints that I would not answer any questions; that a stop was put to business; that it was a great inconvenience to have so many governors brought there; and that I could not expect an answer to a document that was only handed in that day, the 7th, although dated the 5th, etc. etc. I replied in a general way to all these remarks as follows:—

"I regretted the inconvenience so many gentlemen were put to, but that really I was not the party to blame, as I only received at half-past 11 o'clock on the preceding Wednesday (2nd February) the Report of the Committee of Seven, submitted to the general meeting of governors held on Monday last, the 31st of January, together with the commandant's letter of the same date, giving me permission to add any further information at my disposal; that I really could not understand the passages referred to in my letter of the 5th of February, now under consideration, and was employing any time at my disposal in trying to discover their meaning, when on Saturday last, at nine o'clock, I got a letter from the commandant, dated the preceding day (4th February 1870), to the effect that the special meeting referred to in his letter of the 31st of January, would be held on Monday next, 7th, at one o'clock. I, gentlemen, was engaged, busily engaged, with my duties on that day from seven in the morning till half-past nine that night, so much so that I did not get time for a walk in my garden, nor any recreation of any kind, except whilst driving to and from the Hibernian School, for the performance of my duties. At half-past nine o'clock on Saturday night I sat down and wrote a rough draft of that letter, dated 5th February, and again a clean copy of it this morning, which clean copy I had not completed in my letter-book till 10 minutes to 12 o'clock to-day; and as the meeting was to be at three o'clock (by adjournment from one o'clock), I had no way of putting it before the committee until the time appointed."

"appointed for the meeting, and I actually handed it to the commandant a few minutes before three o'clock, when I was desired by him to retire from the board-room as the governors were about to assemble. As it was intended for that meeting, although addressed to the commandant, I did not give it up before three o'clock, the time appointed for the meeting."

Again, there was some desultory conversation among the governors which I did not bear very well, as it was carried on in rather a low tone of voice. However, after a little while, Lord Strathairn (having first asked the governors if they wished to say anything more to me, and having received a good many replies in the negative), announced to me that I might retire, and that I would hear the result of their deliberations. Having taken my leave of the chairman and the governors, I was proceeding to the door of the board-room when I was called back by the chairman, and was informed that Colonel Nugent suggested to General M'Murdo that a verbal explanation would be given to me of these doubtful points. His Lordship then added, "Will you be content to receive a 'verbal explanation?' I at once replied, 'No, my Lord.' I was then told by Lord Strathairn that I might retire. I was asked for no reasons for the above reply, and consequently gave none; but your Excellency will, I think, admit that I was right when you shall have heard the sequel.

The points to be explained were simply these: Whether the list of 39 names (amongst which was that of Michael Hohan) submitted by the commandant on the 1st of October last was a "complete" or only a "partial" list of all the applicants who had established their right to admission "according as vacancies occurred and the claims merited." For instance, there might have been 37 on the "complete" list, as there were on the 13th March 1866, or 150, as Lord Strathairn seemed to intimate at that very meeting, as being the number on the list, 1st October 1869.

But whether there were only 40, or 50, or 150, the principle was the same; it was necessary for me to know before I could reply, whether that list of 37 boys was a complete or only a partial list of applicants, unless I wished to waste my own time and that of the governors unnecessarily.

Secondly, the order of list (whether a "partial" or a "complete" one) might be simply according to the date of each child being "entered on the list" of applicants, or it might be according to the classification laid down in the Charter, or it might be according to the ideas or opinion of the commandant regarding each child's claim, and his right accordingly to a speedy or long-deferred admission. Lastly, the "order" of the list followed on that day might have been an exceptional thing, and not the same as that usually pursued, and if so, it was necessary for me to know how long that practice was in existence.

Now, I respectfully submit, that if I had consented to take a verbal explanation of these points, as Colonel Nugent suggested, there would have been a great danger of some misunderstanding, either on the part of the governors with regard to the doubts, or, on my part, with regard to the solution; and the best proof of this is, that I was obliged to send back for further explanation even the written explanation given by General M'Murdo, which was drawn up, not on the day of meeting, not after a somewhat unpleasant and exciting discussion, such as I have just described, but one which was drawn up on the following day, the 8th February, and concerning which the commandant was obliged to address me on the 10th of February as follows:—"In the absence of General M'Murdo, who is on leave of absence, and will not return to Ireland, I am directed by the committee to reply to your letter of 9th instant, and to inform you that the word 'orders' in the paragraph of his letter of the 8th instant commencing thus:—'Secondly, the orders followed that day in that list of boys was not according to the date,' etc., 'is a clerical error for 'order,' and it has been corrected accordingly."

In fact, although the clerical error was only the addition of the letter "s" to the word "order," it destroyed the sense of not only the paragraph in which it occurred, but of all the succeeding paragraphs to the end of the communication. I think, therefore, that this one fact is a sufficient justification of my conduct in declining to be satisfied with a verbal explanation of the doubtful points referred to in my letter of the 5th ultimo, without going into the question of the very great irregularities that must necessarily arise in replying verbally to written communications of importance, and without alluding to the inconveniences which I have already suffered from verbal communications in matters of much less importance than that under the consideration of the governors on the 7th ultimo.

With regard to these three points which I found it so difficult to have cleared up, I beg now to direct your Excellency's attention to the fact, that they had a direct bearing on the case of Michael Hohan, as his was certainly one of the 39 names submitted to the committee, and, of course, it was of the utmost importance that I should know, first, whether that was a "complete" or only a "partial" list of applicants; secondly, how that list was drawn up, whether according to the date of application, or according to the classification of the Charter. Now, it appears from the Report, as explained by General M'Murdo's communication of the 8th, and from the letter of the commandant with regard to the "clerical error" in General M'Murdo's, that the 39 names were not the complete list of applicants; and, secondly, that the "order" followed was not according to the date of being "entered on the list" of applicants, and, what is still more extraordinary, it was not arranged according to the classification laid down in the Charter, but was simply a list of 39 names selected by the commandant from the complete list (which might be 150) according to his

Inconvenience of verbal explanations.

Bearing of three doubtful points on M. Hohan's case.

List of 39 names, not the complete list of applicants, &c., &c.

Not according to the Charter.

views of their claims for admission, from which 39 names the committee were to select 12 to be actually received into the institution in the course of the following month. From this your Excellency will perceive the great, the enormous power in the hands of the commandant with regard to the admission of children, and its bearing on the case of M. Hoban.

Now, let us see how this power was exercised by him on the day in question. In the first place, the commandant boasted so far back as the 2nd January 1866 (see Report 308, page 61), of the pains taken by him in preparing his list for the committee, and since the case of Michael Hoban was brought under the notice of Lord Strathairn some time previously, we may suppose that he was even somewhat more careful than usual in preparing his list for October last. Yet what was the result? He first of all seems to have altogether ignored the rules laid down in the Charter, since the committee, through their chairman, are obliged to admit, "that the order followed in that list was not according to the classification laid down in the Charter;" and secondly, so mistaken was he in his views of the respective claims of these boys who were submitted, as recommended for admission, that the committee are obliged to pass over five in the first 16 names on his list; that is, they are obliged to reject for the time the claims of more than 30 per cent. of his chosen ones; and even of those actually admitted on the commandant's recommendation, they have to completely reverse his order; as for example, the committee think the boy deserving of the third, whom the commandant thinks deserving only of the thirteenth vacancy. I regret that I cannot make this matter more interesting to your Excellency by analysing the complete list of applicants on the 1st of October last, as well as the list of 39 names recommended by the commandant on same day, and the 12 actually approved of by the committee; but that I cannot do so is not my fault, as your Excellency will be surprised to learn, that although I wrote to the governors on the 13th ultimo, asking for copies of the different lists as tending to "facilitate this inquiry," I have as yet got no further reply than that my communication was submitted to the governors on the 18th ultimo (February 1869).

From those few remarks, you will perceive the difficulties under which I laboured in preparing this communication for your Excellency, as President, on a subject of certainly very great importance, viz., the observance of the Charter in the admission of children into the institution. Notwithstanding all the obstacles not removed, at least by those who had the power to do so, I have now to inform your Excellency, that so low down was Michael Hoban (although a second-class applicant) on that list of 39 names submitted 1st of October 1869, by the commandant, that he was not actually received into the institution until the 31st of January of the present year. And this appears the more extraordinary, as between the 4th November and 13th December last, I got charge of no less than six fourth-class cases according to the Charter. Now, one of these was not a very urgent case, to say the least of it, as his brother was admitted on the 1st of June preceding, *the very day he was entered on the list of applicants*, and as his father was in very comfortable circumstances, being worth something like 60 l. per annum; and another fourth-class case was not so low as Michael Hoban on the list of applicants.

If, therefore, I had any grounds, and I think I have shown at pp. 17-18 of this Reply, that I had at least some grounds for asking an explanation of how it was that the 10 inferior claims to Michael Hoban were admitted between the 1st of March and the 31st of August last, if, as the commandant stated, and I believe his statement to be correct, that the "list contained a number of more urgent and deserving ones" than that of Michael Hoban, I think your Excellency has equally good grounds now for asking an explanation of how it happened.

First, that Michael Hoban, an urgent second-class case, according to the Charter, and moreover, "a deserving one," according to Lord Strathairn himself, was not admitted until the 31st of January 1870, whilst there were so many fourth-class cases admitted in the meantime, he being "entered on the list" for admission equally with others, "as vacancies occurred and the claims merited," according to the Charter.

Secondly, that 68·6 per cent. of these Catholic applicants on the Parliamentary Return 1865, were not received into the institution (at least as Catholics), whilst only 41·3 per cent. of their Protestant co-applicants met with a similar fate, as the explanation given by the committee in their report can scarcely be looked upon as sufficiently satisfactory by your Excellency.

Thirdly, that Joseph Brester, a second-class claimant, was something like 18 months an applicant, whose father had served "his full time" in the army, and 11 years additional in a militia regiment in England, making a total of 33 years in Her Majesty's service.

And fourthly, how it happened that Daniel Brester, an elder brother of Joseph Brester, and therefore, with a prior claim for admission, as he is now approaching "the age of disqualification," has not as yet been admitted, although on the list of applicants as a second-class claimant for more than eighteen months, whilst William Rooney, a fourth-class case, who was entered on the list only in September last, was actually admitted on the 1st November following, or in less than two months, if I have been correctly informed by their mothers.

I have

Opinion of Committee relative to Commandant's list of October 1.

List of 1st October not supplied to chaplain.

Petition of M. Hoban on that list.

Some 4th class cases admitted before M. Hoban, a 2nd class applicant.

68·6 per cent. of Catholic applicants not admitted.

J. Brester, 2nd class case, 18 months an applicant.

Another 2nd class case 20 months an applicant not admitted.

I have only now to add, that I have not brought forward all the extraordinary facts that have come to my knowledge with regard to the admissions, the delays in admissions, and the non-admissions of applicants for admission into the Hibernian School, but I consider I have given a sufficient number of cases in this communication to justify your Excellency in concluding that I had solid grounds for asking an "explanation" as to the "number of more urgent and deserving cases of longer standing," referred to by the commandant, and of the non-admission of so many Catholics of those on the list of 13th March 1866, which is really all I did up to 26th October 1866. If, however, your Excellency should go a step farther, and come to the conclusion, that not only had I grounds for asking "an explanation," but that, in your opinion, there is now reason, with the additional evidence produced in this communication, for thinking that a close, searching, and public investigation into the system of admission into that institution would be of service to set matters right in case the governors were mistaken as to their powers under the Charter, I have, therefore, with all due respect, to make a few proposals with regard to that investigation, and promise my assistance in any way your Excellency may desire my services.

Many other cases not brought forward.

Catholic chaplain promises his assistance to carry out our inquiry.

1. That the joint or separate opinions of the Attorney and Solicitor General be at once obtained with regard to the legal interpretation of the Charter.
2. That a return of all the boys who were on the list for admission on the 13th March 1866, as well as of all those who applied since, be at once prepared, arranged according to the tabulated form A, with the additional information such as I have already suggested when trotting of the portion of the Report marked "a" "a," page 35.
3. That a special return of all the boys who are at present on the list of applicants be at once prepared, with the same particulars as that of the preceding return, excepting the date of admission.
4. That a return be also prepared of all those applications which did not result in petitions, of petitions which did not result in admissions (that is, of those who are now disqualified by age), and of admissions ordered which did not result in boys being received, giving the same particulars as in the two preceding returns as far as they can be ascertained, stating the reasons concisely why first and second class applicants did not result in admissions, if any such cases occurred, and the average per centage of boys baptised in the Catholic, Protestant, and Presbyterian churches, who were not received into the institution, although "entered on the list" of applicants at any time from 13th March 1866 (date of Parliamentary Return), to 13th March of the present year, to be brought under the notice of the governors for admission to this asylum "as vacancies occurred and the claims merited," specifying the religious denomination and class according to the Charter.

And that these returns be printed, and submitted to the Attorney and Solicitor General, to enable them to give their opinions as to the observance of the Charter in the selections for admission since the date of the last Parliamentary Return, No. 338, moved for by Mr. Maguire, and ordered to be printed by the House of Commons, May 30th, 1866.

5. That the investigation be carried out in a way that will insure the confidence of the public at large, as well as that of all concerned, and that each officer of the Institution be encouraged to give whatever evidence he may be able to produce, which may in any way tend to bring out the whole truth on this very important subject concerning the strict rights of the orphans and children of all classes of Her Majesty's non-commissioned officers and soldiers of every denomination, Catholic, Protestant, and Presbyterian.
6. That no officer shall be liable for any information he may give that may criminate himself, provided that his evidence be given in a fair, straightforward, and truthful manner, and to the satisfaction of those whom your Excellency may appoint to hold such investigation, who ought to be, in my opinion, strangers to the Institution, that is, persons in no way connected with it.

Should your Excellency think such an investigation desirable, I respectfully promise to use my best endeavours to make it successful, and will be ready to submit myself to the examination and cross-examination of any officer of the Institution, and will produce my private register, and any written documents in my possession, provided that any officer, whose testimony I may consider useful to the investigation, be required to submit to the same conditions, as I have just proposed regarding myself and papers, &c. So far, therefore, as I am concerned, I will not stand in the way of any investigation your Excellency may approve, and the more public, the more searching, and the more independent the tribunal, the better.

Catholic chaplain promises to produce his register, &c.

I cannot conclude this communication without drawing your Excellency's attention to another subject which is so intimately connected with the admission question that it is impossible to treat of the one without referring to the other. I allude to the question of the religious registration of children on their admission into the Institution. It may be objected to me, that this is not the precise question before the Board at present, and that, consequently, it should not be introduced here. To this I have merely to say, that if your Excellency only hears with me for a few moments, I think I shall be able to show that the question of religious registration is quite relevant to the subject now under consideration. I will just mention one simple case which will illustrate my meaning.

Religious registration.

Case of Joseph
O'Callaghan,
"Signed herself,"
See, for explanation
on p. 48.

On the 14th December 1863, a petition, dated 11th December 1863, was received at the Hibernian School for the admission of a boy named Joseph O'Callaghan. His father was a Catholic. His mother, although a Catholic for 16 years previously, that is, from about the time of her marriage, signed herself a Protestant, at least some person answered the Q.—"Religion of Mother," "Protestant." The boy was baptised in the Catholic Church, and was always reared as a Catholic. The very day the petition was received he was entered on the list of applicants to be admitted "as vacancies occurred and the claims merited." The certificate of the child's baptism in the Catholic Church of St. Patrick's, Cork, was duly forwarded. Joseph was the son of John Joseph O'Callaghan, a colour sergeant of the second battalion of the ninth regiment of foot, who died at Corfu, on the 1st May previously, from diseases brought on by the Crimean campaign. So particular was he in the religious education of his children, that he withdrew this very child from the regimental school at Corfu, and sent him to a purely Catholic school. The mother practised her duties as a Catholic, and reared her children as Catholics after her husband's death. She told her son John, in Limerick, that she had applied to have her son Joseph admitted into the Hibernian school as a Catholic. She states in her "memorial" "that her husband died with the service companies of his corps at Corfu, leaving memorialist and three orphans entirely unprovided for. That your memorialist has no earthly means of supporting the three children, and that she would be obliged to enter the union workhouse if she failed in her endeavour to get two of them into the Royal Hibernian Military School. One boy is 13 years, the other 8½ years old. Memorialist, therefore, prays that the honourable gentlemen, the Governors of the Institution, will take pity on her."

Whether that memorial was presented to the board of governors on its receipt, or not, we are not told; but the following is a copy of commandant's note on the petition:—"Register Joseph and note thereon (they are not at present inclined for the army), inform petitioner that John is past, and Cornelius under age (which is from seven to twelve) for admission to Royal Hibernian Military School."

(signed) "H. Wyszard."

The poor destitute widow O'Callaghan was then informed, I understand, that Joseph was "entered on the list" of applicants to be brought under the notice of the governors "as vacancies occurred and the claims merited," as in the printed circular given at page 14. As far as I can learn from the Return of 1866, no intimation was given to the mother, that the fact of Joseph, then a child of 8½ years of age, being "not at present inclined for the army," was the slightest bar to his entrance. Well, how did this case terminate? The mother took ill and was obliged to take refuge in the house of a Protestant grand-aunt named Mrs. Esther O'Callaghan. We are told she fell back into Protestantism, but whether it was at a time when she was scarcely conscious of her acts or otherwise, we are not informed. She died on the 27th March 1864, about three and a half months after her first application to have her son admitted. Joseph is taken in charge by the grand-aunt, he is reared by her as a Protestant, and the following 27th of December, being just 12 months and 14 days from that of his mother's first application, an admission ticket is forwarded to the widow O'Callaghan, but she is not there to receive it, for she is dead some nine months. The Protestant rector of Kinsale, in a letter, dated 29th of same month, communicates the fact of the mother's death to the Institution, and that Mrs. O'Callaghan had been attended by him before her death, and had requested of him and Mrs. Esther O'Callaghan to bring up her children as Protestants. The commandant does not refuse to receive this communication. On the contrary, he at once acknowledges its receipt, and merely requires "that such facts must be declared by the 'guardian before a magistrate,' before he could act upon them. The declaration is accordingly made on the 7th January 1865, and was 'thereupon sent' to him, and, as the commandant informs us in page 42 of Parliamentary Report 308, May 1866, "on the 22nd of January 1865, the boy was received at the school, and I considered him entered 'as a Protestant,' and I had him registered accordingly."

Thus, in less than four weeks the whole matter was regulated by a few letters and a declaration before a magistrate, without even the advice of the governors, that Joseph O'Callaghan is to be reared in a faith different from that in which he was baptised and reared, and in which his father lived and died, although the commandant himself admits that if the boy had been at once admitted, he should certainly be registered as a Catholic, unless "his surviving parent notified her wish, and the boy consented to the contrary." I wish now to draw your Excellency's attention to some extraordinary facts connected with this case.

1st. Joseph O'Callaghan was a second-class applicant according to the Charter, and an urgent one from the fact of his father having actually died on "Foreign Service," as well as on account of the misery and destitution of the mother.

2nd. That he was not received into the Institution until the 23rd January 1865, or 12 months and 10 days after his "being entered on the list of applicants," whilst there were 30 children admitted and registered as Catholics in the meantime, not one of whom was a first-class applicant, that is the class superior in claims to Joseph O'Callaghan, according to the Charter; 12 only of whom were of the same class, that is second-class; six of whom were third-class; eight of whom were even fourth-class applicants; and the remaining four were boys whose classification was doubtful, but who were almost certainly not first-class cases. From which it would appear that at least 14, and probably

18 cases

His registration in
a faith different
from that of his
father and

Rector of Kinsale.

18 cases inferior, according to the Charter, were admitted and registered as Catholics, not to speak of those who entered as Protestants, whilst Joseph O'Callaghan was a co-applicant with them on the books of the Institution.

3rd. That the commandant admits, that had the boy been at once admitted, he would have been registered as a Catholic, unless the mother expressed a wish to the contrary, and that the boy himself consented: whilst, after his mother's death, the commandant was satisfied with the wish of the alleged guardian, and did not require or ask the consent of the boy himself, for proof of which I beg to refer your Excellency to the Parliamentary Report 306, May 1866, page 42, as it is there evident, even from the commandant's own account of the transaction, that the boy was registered as "a Protestant" on the 23rd January, without his consent having been given or even asked for, which extraordinary and unusual registration was effected without the committee of governors having been even consulted on the matter, as far as I can judge from a careful perusal of some Returns.

apparently without his own consent.

Fourthly, I wish to direct your Excellency's attention to the amount of trouble, labour, and expense I was put to, to have that extraordinary case of registration inquired into, compared with that to which the Protestant rector was obliged to go, to have the child's registration effected, which may be seen at a glance by comparing page 18 of some Return (where you will find an index to the correspondents concerning this poor child's case, in which I was acting for the eldest brother of the boy in question, and for his grand-uncle, who resided in Cork), with page 42, where you will find the rector's part in the transaction described in a few short sentences. Considering therefore this boy's case, his delay in admission, and his registration as a Protestant, most probably, if not certainly, in consequence of that delay, and, I think, sufficient reasons in themselves, if there were no others, for introducing the question of religious registration of children to your Excellency's notice at the same time as that of the admission question.

Trouble to which Catholic chaplains was put in reference to that registration.

For in the admission question we have a proof of the extraordinary power vested in the commandant by his being the "sole officer" of the institution charged with preparing every month the "partial list" of 30, 30, or 40 boys as recommended by him for admission out of the general list of applicants, say 100, or 150. We have also seen how these lists have been prepared, and the manner in which the committee were obliged to act on the 1st October last, totally reversing the "order" of the commandant's list, &c. In the case of Joseph O'Callaghan we have seen, that from whatever way the lists of 1864 were drawn up, Joseph O'Callaghan, although a most urgent and deserving second-class case, was not received into the institution for more than 13 months after his first application, whilst so many inferior claims according to the Charter were admitted in the meantime. And lastly we have seen, that he was registered in a religion different from that in which he was baptised and reared, and almost certainly would have been registered had he been admitted before his mother's death—she being then and for 16 years previously a Catholic—and the child himself a Catholic. So far, therefore, the case of Joseph O'Callaghan, in which we have a clear and convincing proof of the extraordinary powers vested in the commandant, both as to the admission and registration of children in the Royal Hibernian Military School, proves the intimate connection of these two questions.

Intimate connection of religious registration and admission questions.

Should, then, the commandant make a mistake in either one or the other matter—and that such is possible need scarcely require proof—what is the remedy? How are such errors to be rectified? This is a point well deserving your Excellency's attention.

Difficulty of having mistakes rectified, first, as to admissions;

1st. Who are to correct mistakes with regard to the admission, should any occur? I think I have sufficiently demonstrated in the course of this document, that rather extraordinary cases have occurred with reference to the admission of children: cases that certainly appeared to call for explanation. I think it is also pretty clear that "some explanation" seemed to be required concerning the statement made by the commandant in his letter to the military secretary, and which was really intended for Lord Strathairn himself, to the effect, that the list of applicants for admission contained "a number" of more urgent and deserving cases of longer standing than that of Michael Hoban. The trouble, the labour, and the expense that I have been put to, in venturing to suggest to Lord Strathairn that some explanation appeared necessary, can scarcely, to say the least of it, be considered an encouragement to the officers of the Hibernian School to take any active steps to assist the governors in directing their attention to what might possibly be of service to them, in seeing that the Charter of Her Majesty was impartially and legally carried out by the commandant in the admission of children.

And now with respect to the religious registration of children: who are to correct the mistakes in this department, regarding which the power in the hands of the commandant is even still greater, and by far more important, than that with which he is vested in reference to their admission? First, "it is greater;" for the committee have some control, and according to the Report, are at times obliged to exercise their authority in a rather summary way (as for example on the 1st October) regarding his list of boys "as recommended for admission." But his power regarding the religious registration of boys is exercised in his own private office, and, as far as I can gather from his own account of such transactions, without any witness whatsoever on some occasions, or, with one or two "subordinate officers" of his own choice, just as he himself pleases. I will quote his own words

Secondly, as to the religious registration.

Extraordinary power of Commandant relative to the religious registration.

words with regard to this very important and "unprecedented" case of Joseph O'Callaghan, as he himself styled it—taken from the Return of 1866, page 42, "on the 23rd January 1863, the boy was received at the school, and I considered him entered as a Protestant, and I had him registered accordingly." In fact the governors would probably have never heard of this extraordinary case for registration only for your humble servant. Secondly, "it is by far more important," for the fact of the commandant not putting a child on the list of boys recommended for admission for a particular committee meeting, may only entail the penalty, that the poor child is to remain perhaps one month, or 12 months, or a few years at most, in misery outside the institution. But the religious registration of a boy may affect that child's fate not merely for his term of life in this world, but it may, and probably will, affect his happiness or misery for the never-ending day of eternity. It is, therefore, a power too important to be confided to a single individual, lest mistakes might occur in its exercise, with consequences as very serious to the party concerned. And should mistakes occur, there is apparently no remedy, as boys must be brought up "in the religion they enter with," according to the rule of the institution, and *doubtful cases will not even be required into, according to a late decision of the governors.* And yet, mistakes may occur in this all-important matter. To illustrate this proposition, I think I cannot do better than copy a portion of a letter of mine addressed to the present commandant on this very subject, dated 29th May, and submitted to a general meeting of governors, 18th November 1869.

Should mistakes occur, no remedy.

Mistakes may occur.

"That mistakes may occur in the religious registration of children in the Hibernian School, I think I will be able to prove from the following cases, which have come under my own knowledge, and which I will willingly particularise by names, dates, and places, before any properly constituted tribunal, and under certain conditions.

First case.

"The first case I will give is that of a boy who was registered as a Protestant without ever having been asked for his consent, and, as far as I could learn, without even the consent of his surviving parent having been asked, or, if asked, without their consent having been properly obtained. I will give the circumstances as related to me by the boy himself. On the evening after he arrived at the school he was ordered to fall in with the Protestant boys for night prayer, which he resolutely refused to do, although every effort was made to induce him to consent. Seeing that the boy was really determined to have his own way, he was removed to hospital, his mother, who was a Catholic, was written to, and she at once replied, that she wished her son to be entered as a Catholic, and his registration was accordingly altered.

"Only that this poor child, probably not more than 10 or 11 years of age, acted so finally, he would have been quietly registered as a Protestant, and we may form some idea of the wretchedness and misery to which he would have been subjected during his three or four years' stay in the Hibernian School, from a letter addressed to me by another boy, who, as far as one can learn, having been reared as a Catholic, was, after his admission into the Hibernian School, registered, and of course brought up, as a Protestant, and of which the following is a true copy:

Second case.

"Rev. Sir,
"I do wish to be a Roman Catholic, and I am a true Roman Catholic, my father was a Catholic, and my mother a Protestant, and I will follow my father; my father and brother died both Catholics, and I wish to die one too. I know if I die a Protestant I will be condemned to hell. I do come into the Roman Catholic prayers constantly.
" (signed) A. B."

"This is not the only case of a poor Catholic child suffering weakness of mind from his being registered as a Protestant in the Hibernian School, as the following short, but pointed letter will prove:—

Third case. Another letter of same kind.

"Dear Father Leonard, If you please, would you be kind enough as to get back my religion, I would like to have my religion back again, for I am miserable.

(signed) "From C. D."

"Royal Hibernian Military School,
Phoenix Park, Dublin.

"The letters 'A. B.' and 'C. D.' are, of course, assumed initials for the real names, which are signed in full in the letters themselves.

Fourth case.

"I will just mention one case more of a boy whom I happened to meet in a harrack square some years ago, more than 50 miles from Dublin. Having asked the first soldier I met to send me any Catholic boys from the Hibernian School then in harracks, three, or four, or five, young lads came running to me. I recognised all but one. This boy I questioned as to the time he was in the school, the priest he was under whilst in the school, &c. &c. It turned out from his own admissions that he was the son of a Catholic father and mother; that he was registered there as a Protestant; that he was in the school in my own time, but of course was not under my charge; that he was always determined to be a Catholic the moment he left the school, and actually joined his regiment as a Catholic; that he did not like to be learning the Protestant Catechism or Bible; that he avoided doing so as often as he could; that his father and mother
" were

"were both alive, and he mentioned the names of other boys in precisely similar circumstances, one of whom he particularised as having been flogged for running under the tables to avoid going to prayer or service with the Protestants. I visited the parents myself afterwards, and found that the statement of the boy was correct, and that they sent their children into the Hibernian School as Protestants from an ignorance of their right to enter them as Catholics, and from being under the impression that they could get them in more easily as Protestants.

Fifth case, including many similar ones.

"From these extraordinary cases of registration which have actually come to my knowledge, with the few opportunities at my disposal of learning the state of the religious registration of children of the Hibernian School, I felt that I had sufficient grounds for asking an investigation into the case of the boy James McHugh with the statement of his brother Thomas before me, viz., that James told him before his registration that he would enter as a Catholic, and that since his registration, on six or seven occasions, he told his brother that he was not happy as a Protestant, and that he would rather be a Catholic.

Case of James McHugh.

"I have, therefore, to request that you will be good enough to bring the entire correspondence in reference to this matter under the notice of the governors, with a view of having a proper investigation relative to the registration of boy James McHugh, as well as that of the writers of the two letters given above, or of any other cases of doubtful registration that may turn up in the course of said investigation. This will set matters at rest as far as regards the past. And then with respect to the future, I respectfully suggest that all the application and admission papers of each boy be copied into a creed register, and, that (such) creed register be open to the inspection of the three chaplains of the institution.

Investigation sought for 30 May 1899, not yet held.

"Should this course be adopted by the governors, the necessity of a correspondence like the present shall but rarely, if ever occur, and all grounds for mistakes with regard to the religious registration of children shall be completely removed, a state of things which I feel confident is the earnest wish of the Commander of the Forces, and of all others interested in the well-being of the Royal Hibernian Military School.

"I have, &c.
(signed) "John Leonard,
"Catholic Chaplain."

From the above extract it is clear, first, that a mistake occurred in the registration of the boy who is first referred to (see page 46), as the circumstances there related have not been questioned, although now before the authorities of the school since last June last year. Second, that the mistake was rectified when discovered, but for this we may thank the poor child himself, who acted so very firmly. With regard to the case of James McHugh, I wish to state to your Excellency what I really asked with reference to him, that you may see the difficulty of getting an inquiry into a case of doubtful registration. Having heard from Thomas McHugh, who was placed in the school as a Catholic by his father, that his brother James was registered as a Protestant by his mother after her husband's death, "without the child's own consent," contrary to the rule of the institution, and having heard, moreover, that the child was in scarlet fever, I wrote to the commandant on the 20th April 1899, as follows: "Having read your letters of the 8th and 10th inst. (April 1899), to Thomas McHugh, brother of James McHugh, in reference to the registration of the latter as a Protestant, I have to inform you that Thomas still asserts, first, that James, before his registration, told him (Thomas) 'that he was not happy as a Protestant, and that he would rather be a Catholic.'

Thomas McHugh's statement relative to the religious registration of his brother.

"Now, as this poor child, James McHugh, was little more than eight years old at the time of his entrance into the institution, it is quite possible that he did not fully understand his privilege of being registered as a Catholic, the faith in which his father lived and died, that too in which he himself was always reared, I believe until his father's death, although you may have made known to him the rule of the governors with regard to the registration of children as to religion; or, as he may have been unduly influenced by some party outside of the school to consent to his registration as a Protestant, because his mother so wished, I think it is but reasonable to give this boy an opportunity of declaring what his real wishes were before he entered, at the time of his entrance, and what they are at present. For this purpose I have to request, first, that no person whatsoever be allowed to speak to the boy on the subject of religion from the moment this letter is received, until the question of the child's registration shall have been finally settled. Secondly, that you, the Protestant Chaplain, and I, go to his bedside if he be still in hospital, or see him in your office if he be able to leave the hospital, and that he be there allowed to speak his mind freely and openly, and to be interrogated by me in your presence and that of the Protestant Chaplain, and by the Protestant Chaplain, if he desire to do so, in your and my presence.

Interview of Catholic chaplain with the boy in presence of Commandant and Protestant chaplain, not granted.

"I may here state that, as I have never spoken a word to the boy James McHugh upon any subject whatsoever (I do not even know his appearance), and that as I never directly or indirectly attempted to induce him to change his religion, I cannot therefore possess any undue influence over the child; and as, according to your letter of the 10th inst. (April 1899), the institution is in no way to blame in his registration, I think the

"proposal I have made is one which cannot reasonably be objected to, but which, on the contrary, should meet with the approbation of the commander of the forces and of the governors of the school.

"I have, &c.
(signed) "John Leonard,
"Catholic Chaplain."

I cannot inform your Excellency whether the above proposals, by no means very extraordinary in the particular circumstances, and of such serious consequence to the child, were submitted to the commander of the forces or the governors. Indeed I am of opinion that they were not, as my letter was only dated the 20th April, and the commandant on the 22nd of the same month, wrote to me as follows:

"In reply to your letter of the 20th inst. received yesterday, I have the honour to state that your proposals cannot be complied with," in which he seems to take the whole responsibility on himself.

This letter of the commandant gave rise to my communication of the 29th of May on the same subject (from which I have given the large extract to be found above at page 46), which was only submitted to the committee of governors in July following, when I received the following communication in reference to it:

"Royal Hibernian Military School,
7 July 1869.

"Reverend Sir,
"I am directed to inform you that the committee of governors, having had under their consideration the correspondence on the subject of the registration of religion of the boy James McHugh, they are satisfied that the regulations of the institution were duly observed by the commandant in this case."

I need scarcely remark to your Excellency that it seemed strange that I was not asked to be present at the investigation; that no allusion whatsoever is made to my proposal "to be allowed to interrogate the boy in the presence of the commandant and the Protestant chaplain," and that the Protestant chaplain should be allowed a similar privilege, should he desire it. It struck me that possibly the proposal, so reasonable and moderate in my mind, might, in the minds of others, be looked upon as "a most dangerous precedent," somewhat similar to that of permitting me to see the petition of the widow O'Callaghan for the admission of her son Joseph, who, although a second-class applicant, was kept waiting 13 months for a vacancy, and was afterwards registered as a Protestant, although baptised and always reared as a Catholic up to the very date of that petition, and probably for some three months afterwards.

Whilst on this subject I must inform your Excellency that, when I saw the petition with the consent of the full board of governors, I was not the least surprised at the commandant's determined opposition to the 12 or 15 governors present, who were for allowing me to see the document, as I found, on looking at it, that it bore all the appearance of having been tampered with by some person. For, on the very first page, where the religion of mother was noted as "Protestant," there were evident signs of an erasure of some sort, probably of the word Catholic, and of the word Protestant being substituted, since Mrs. O'Callaghan was then a Catholic and had been one for 16 years previously. And so marked was it, that the moment the commandant perceived me looking at that portion of the "petition" somewhat carefully, and remarking a hole in it, he drew my attention to the fact, that in the second place where the same question was replied to, there were no marks of an erasure. I afterwards wrote to the chairman of that day's meeting for permission to see that document again, "under any surveillance, in any portion of the institution," but that permission was not granted, and I was only allowed to see that document at the meeting, "on the condition that I should not avail myself of that permission as a precedent on other occasions."

It was on this account that the silence of the governors relative to my proposal of questioning James McHugh, struck me so forcibly, and made me think, that unless a similar condition were again proposed, which might not look so well, the fact of my being allowed an interview with that poor child, even in the presence of the commandant and Protestant chaplain, might be made use of as "a most dangerous precedent," and lead to inconveniences in other cases at least, if not with regard to the one in question.

However, as the commandant in the same letter (July 7th, 1869) informed me, that although no redress would be given in the case of James McHugh, still something might be done with regard to the general question, and the cases referred to in my letter of the 29th May, and even went so far as to say, that the committee "will be happy to receive and lay before the general meeting any suggestions that you may wish to offer, with a view to the amendment of the present system of registration of religion of boys on entering the Royal Hibernian Military School," I replied in the course of a few days as follows:—

"St. Mochta's, Porterstown, Clonsilla,
County Dublin, 16 July 1869.

"Dear Sir,
"I HAVE the honour to acknowledge the receipt of your letter of the 7th instant, in which you state that the committee of governors will be happy to receive and lay before the general meeting any suggestions that I may wish to offer with a view to the amendment of the
"present

Case of Joseph
O'Callaghan.

Petition apparently
tampered with.

Committee ask
Catholic chaplain
for suggestions.

Reply of chaplain.

"present system of registration of religion of boys on entering the Royal Hibernian Military School." In compliance with this invitation, I respectfully submit the following proposals for the consideration of the governors, the adoption of which will prevent the danger of any mistakes occurring in the religious registration of the children who may in future apply for admission into the institution, so generously endowed from the public taxes of the country.

"1st. That copies of every printed form of petition furnished to the secretary by the parents, or others in charge of the children applying for admission, be forwarded to the chaplains of the different religious denominations attached to the institution, within seven days of their receipt by the secretary.

Suggestions of chaplain relative to religious registration.

"2nd. That no child be registered in a faith different from that of the father or surviving parent, or different from that in which the child may have been baptised, or may have been always reared previous to his entering the school, without due notice of such intended registration being first given to the chaplain of the religious denomination of the father or surviving parent, or in which the child may have been baptised, or in which he may have been always reared previous to his application for admission into the Royal Hibernian Military School. The same notice to be given to the chaplain of the religious denomination in which the child is about being registered.

"3rd. That when any doubtful case of religious registration arises, a public investigation be held, as far as possible in the same manner, and under the same conditions as those ordered by the Commissioners of Poor Laws in similar cases.

"4th. That, until such time as the present printed forms of 'petition' can be amended, a memorandum be forwarded with the 'petition' to each party applying for the admission of a child to this effect. The signature of any Catholic clergyman will be of the same value as that of the 'minister' of the parish or a magistrate, and that the signatures of any Catholic clergyman and of two respectable Catholic householders will suffice for the signatures of the 'minister and churchwardens' where such signature or signatures are required by the printed form.

"5th. That notice be given in the said memorandum that the claims of children seeking admission will be considered irrespective of religion, and, that in the selection of children for admission, preference in general shall be given,

- "First, to orphans.
- "Second, to those whose fathers have been killed, or have died on foreign or home service.
- "Thirdly, to those who have lost their mothers, and whose fathers have been ordered abroad.
- "Fourthly, to those whose fathers are ordered abroad on foreign service, or whose parents have other children to maintain, according to the charter of the institution.

"That said memorandum shall inform parties applying for admission of children, that at present Protestant, Roman Catholic, and Presbyterian chaplains are attached to the institution.

"Should the above suggestions be approved of and acted upon by the governors, I have great confidence that but very few, if any, doubtful cases of religious registration will occur in the admission of children into the Royal Hibernian Military School.

"I have the honour to be, &c.

(signed) "John Leonard, Catholic Chaplain."

I have now to direct your Excellency's attention to the fact, that I can give no information of what took place in reference to this important matter from the date of my letter, 16th July 1869, to November 12th, when I was informed that I might be present at the meeting of governors on the 18th, as I requested on 26th of preceding month, but on conditions which I felt bound to object to in a letter dated November 18th, in which I endeavoured to have a full discussion of the question at the meeting on the 18th of same month. However, all my efforts failed, and, although present at a portion of the meeting, I cannot say that the question of the religious registration of children was really discussed or inquired to, but this much I know, that all my proposals of any moment as given above, were unanimously negatived either before I entered the board-room, or after I left, as I learned from the commodant's letter of the 22nd of same month, and so ended the correspondence with regard to James McHugh and the general question of the religious registration of children on entrance into the Royal Hibernian Military School, so far as the governors are concerned.

Question not investigated to satisfaction of chaplain.

With regard to that correspondence, I wish to direct your Excellency's attention to the following facts: First, that I sought no privilege for myself that I was not perfectly willing to have extended to the other chaplains of the institution. Secondly, that I offered to the governors at their meeting on the 18th of November, to give any explanation they required of my different proposals. But they, when asked by the chairman (General McMurdo) if they wished to put any questions to me, without exception, all replied in the negative. Thirdly, that not one particle of my statement has been called in question, either

Catholic chaplain seeks no special privilege.

either regarding the boy who was registered as a Protestant without his surviving parent's or his own consent having even been asked for, much less obtained; or regarding the boy whom I met in the barracks square some 50 miles from Dublin. Fourthly, that I was not required to produce the originals of these two extraordinary and touching letters, of which I only gave copies in my communication, although I offered to do so. Reading the first of the above-mentioned letters, does it not seem almost certain that some mistake must have occurred in his registration?—For, according to the rule of the institution, "*his own consent*" was absolutely necessary, which judging from the case first referred to at page 46, might never have been asked for, and which, judging from the letter in question, if asked for, was never obtained; or if obtained, might have been given under some misapprehension of his privilege of refusing his own consent if he so pleased.

Whilst on this point, I think it my duty to say that this latter supposition is quite possible. For, looking at page 44 of the Return of 1866, I find that when Joseph O'Callaghan was brought before the committee of governors, there was no explanation whatsoever given to that poor child to the effect "that he was perfectly free to give or withhold his consent to be registered as a Protestant as his alleged guardian wished, or even as his mother wished were she alive." But he is simply asked,

Q. Are you a Protestant or Roman Catholic?

A. Protestant.

Q. Have you been put up by anyone to say that you are a Protestant?

A. No.

Now, with all due respect to the governors, I certainly question the legality of any such registration, as long as the rule of the institution is in existence, "*that the wish of the surviving parent, with the consent of the child,*" determines the religious registration of a child, as I cannot see that Joseph O'Callaghan's consent was ever really obtained, if no other form was gone through but that noted in the return. For I think that it would be only fair to explain fully and entirely to the child his privilege under the rule, much in the manner above described, when we consider the importance of the subject upon which a child not 10 years old was called upon to decide—a choice upon which an eternity of happiness or misery may have depended, as well as his peace of mind in this life. Let this matter be brought home by a reference to temporal concerns. For the sake of an example we will suppose that the law allowed minors to exchange their property, "provided the surviving parent so wished, and the child consented." Let us suppose that a minor, a child of seven or eight, or at most 12 years of age—is induced by his mother, the surviving parent, even without any unfair means, to promise to exchange his property for some of her own, quite different from that which the dying father wished to the child; that she then takes him to a solicitor's office; that the solicitor, although independent of both parties, still favours the mother so far, that he never explains the nature of the law to the child, viz., that he is free to give or refuse his consent, and he merely asks the child of such tender years, "Do you exchange all your property for your mother's?" that he receives the answer, "I do;" that the solicitor then asks the child, "Have you been put up by anyone to say that you do?"—that he receives the answer, "No." Let us suppose that the deed of assignment or exchange is there and then completed, and moreover, that all this is done in private, no one being present but the mother, the child, and the solicitor; I ask, would such a deed, or such an assignment be considered a legal document executed "with the consent of the child"? If the child repented of his act; or if any relatives of the child's father disapproved of the exchange, would such a document stand one instant in a court of justice? I am confident of your answer. I am sure you would stigmatise such a proceeding as it deserves. And yet, what is the largest possession of any heir in this world when compared with the gift of the true faith, which according to the Catholic doctrine is to be found only in the Catholic church, and regarding which, children of such tender years are called upon to make a choice when entering the Royal Hibernian Military School? And ought not the same precautions at least be taken to have a real *bona fide* consent obtained, where there is question of bartering spiritual and eternal goods, as when there is question of goods merely temporal and passing?

Lastly, I wish now to direct your Excellency's attention particularly to the copy of the second letter given above, which is most expressive, considering the age of the writer. "*Dear Father Leonard, if you please, would you be kind enough as to get back my religion!*" Your Excellency will perceive that this poor child does not ask to change his religion, but he requests me to get back his religion—to restore to him something he has lost, or of which he has been deprived. He then continues, "*I would like to have my religion back again, for I am miserable.*"

Here again, I must express my astonishment that the governors, on the 18th of November last, neither asked me to produce that letter, nor to give any explanation of it. I must now add that their decision to hold no investigation into any cases of doubtful registration, seems even still more extraordinary and almost incredible. Yet such is the fact. For my proposition in letter of 16 July 1869, "That when any doubtful case of registration arises, a public investigation be held as far as possible, in the same manner, and under the same conditions as those ordered by the Commissioners of Poor Laws in similar cases," was unanimously negatived by the governors.

Now, as I had previously in my letter of 29th May, asked simply for "a proper investigation" into the case of "James McHugh, as well as of the writers of the two letters" given above, or of any other cases of doubtful registration," and as no such investigation

Rule of Institution
not always ob-
served.

Proof.

Extract of letter
addressed to Catho-
lic chaplain by a
boy registered as
a Protestant.

Doubtful cases of
registration.

"was ever held, I think I am justified in concluding that the governors have decided, that no investigation of any kind will be held with regard to doubtful cases of registration." Consequently, I trust your Excellency will agree with me in saying, that it is now of the utmost importance that every precaution should be taken to prevent the possibility of mistakes occurring in the religious registration of children on entering the Royal Hibernian Military School. Now, as the question of religious registration is intimately, if not inseparably, connected with that of the admission, I respectfully submit the following plan, which I hope will meet with your Excellency's approbation as well as that of the governors. If adopted, I think it will meet all the difficulties of the two important issues raised in this correspondence, viz., the legal observance of the Charter of the institution in the admission of applicants, as well as their correct registration as to religion, when admitted into the Royal Hibernian Military School. It is as follows:—

1st. That the opinion of Her Majesty's Attorney and Solicitor General should be at once obtained, with regard to the strictly legal interpretation of that portion of the Charter which treats of the rules laid down for the governors in the selection of children, so often referred to in this correspondence.

Proposals of chaplain relative to the admission and registration of children.

2ndly. That the commandant prepare his "list of boys as recommended for admission" according to the awarded "Form A," such as I have proposed at page 26, for the monthly committee meetings as usual, but before the last Wednesday of each month; and that such list be submitted on the last Wednesday of each month to a committee of the following officers of the institution, or any three of them, viz., the commandant, who will act as chairman, the secretary, the surgeon, and the Protestant, Presbyterian, and Catholic chaplains, who will express their opinion of such list in the minutes of their meeting, which minutes will be submitted with said list at the meeting of the committee of governors, who will then finally decide upon the selections to be made to fill the next expected vacancies.

3rdly. That a creed register be kept in the institution, such as that I proposed in my letter of the 29th May last, addressed to the commandant, and submitted to the governors in July following, viz., one containing copies of "all the application and admission papers of each boy," and that such "creed register be open to the inspection of the three chaplains of the institution."

4thly. That no child shall be registered in a faith different from that of the father or surviving parent, or different from that in which the child may have been baptised, or may have been reared previous to his entering the school, without due notice of such intended registration being first given to the chaplain of the religious denomination of the father or surviving parent, or in which the child may have been baptised, or in which he may have been always reared previous to his application for admission into the Royal Hibernian Military School. The same notice to be given to the chaplain of the religious denomination in which the child is about being registered.

5thly. That when any doubtful case of religious registration arises, a public investigation be held, as far as possible in the same manner and under the same conditions as those ordered by the Commissioners of Poor Laws in similar cases.

6thly. That at the end of each year a return be prepared by the commandant somewhat similar to that to be found in the Appendix, and that said return be submitted to the committee of officers on the last Wednesday of January in each year, and so the committee of governors at their next monthly meeting.

I do not consider it necessary to go into any minute explanation of the advantages likely to arise to the Institution, should the above suggestions be adopted by your Excellency and the governors of the Royal Hibernian Military School. The authority of the commandant is not lessened, nor are the powers of the committee of governors in the least interfered with. Yet such precautions are taken as to render it almost impossible that there can be any room for complaint with regard to either the admission or registration of children. Regarding my second proposal, it may be objected that the clerical element is too great. If your Excellency should think so, I would then suggest that the quartermaster be added to the proposed committee, and as the commandant, secretary, surgeon, and quartermaster reside on the premises, they can be present at each meeting without much inconvenience, and thus the lay element will be in a majority. Besides, as the three chaplains, only one of whom, viz., the Protestant chaplain, has quarters in the Institution, will have different interests at stake, they will seldom be very strong in any division, even when the three are present. At the same time I feel confident that the presence of the chaplains will be a security that the applicants of all religious denominations will have fair play.

Regarding my fourth proposal, which was No. 2 of those submitted to the governors the 18th November last, and which is to be found in my letter of July 18th, I cannot refrain from informing your Excellency, that although it was negatived by the governors at said meeting, still it was one in which they saw some merit. In proof of which I will merely quote the following passage from the commandant's letter, dated 22nd November 1869:—"I am dashed in conclusion to suggest you that the governors are very sensible of the inconvenience which your second proposition was intended to obviate, but that they are unable to decide upon a course which would avoid the still greater inconvenience that would be occasioned by disputed registration." In reference to this passage, I must first remark, that

that it was not simply an "inconvenience" which my second proposition "was intended to obviate," but "a positive injustice," viz., the registration of a child in a faith different from that in which he was legally and rightfully entitled to be registered, such as happened in the case of the boy alluded to at page 40, which is an undisputed fact, not to speak of the doubtful cases of Joseph O'Callaghan and others, which have come to my knowledge, and which I am prepared to prove before a fully constituted tribunal appointed to investigate such cases, as I proposed in my letter of 29th May 1869. And secondly, that the still greater inconvenience that "would be occasioned by disputed registration," need not be dreaded by the governors, as I feel confident that the adoption of my suggestions will render such occurrences next to impossible.

I have now, in conclusion, to apologise for having trodden so long on your Excellency's patience; but the importance of the interests involved compelled me to endeavour at least to put the admission and registration questions fairly and fully before the board. Indeed, I can scarcely say that I have put three questions "fully" before your Excellency, as there are many cases connected with them to which I have merely alluded, and others which I have been obliged to pass over altogether, lest I should presume too far upon your valuable time.

With regard to my six proposals just given, I venture to say that your Excellency will not consider them unreasonable, when it is borne in mind, that the Royal Hibernian Military School, boasting of its Royal Charter, has the Queen's representative in Ireland as its President; that it is supported liberally and generously at a cost of nearly 20,000 £ a year (according to the last Parliamentary Return on the subject); that it is an asylum for the orphans and children of Her Majesty's faithful soldiers irrespective of their religion; that it is a purely mixed Institution as to the religion of its inmates, whilst it is *anything but* mixed as to the religion of its superior officers; that the commandant, the secretary, the surgeon, the hospital serjeant, as well as the serjeant major, and the clerk in the office, in fact, *all the officials connected with the admission and registration of the children*, are Protestants, whilst the majority of the applicants are Catholics (according to the latest Parliamentary Return on the subject); that only one-third of the inmates are still registered as Catholics, although the commandant, so far back as the 2nd January 1864, stated "that the proportion of Roman Catholic to Protestant boys here may be much changed, and even quite reversed, for there has been a gradual improvement in the state of the former, . . . and the fruit of the Institution being in Ireland will then affect the number of applications more than it does now;" and that amongst the thirty or forty governors there is not one Catholic, as far as I can learn.

Considering, therefore, all these things, and that, at least, some very extraordinary cases, both of admission and registration, have occurred during my term of disiplinary, I do not think that I am acting an unreasonable part in submitting the above-mentioned proposals for the consideration of the board of governors, particularly as there is not one Catholic official concerned in any way in the admission and registration of children.

I leave, therefore, the cause of these poor children, whose advocate I am, in the hands of the governors, your Excellency, and Providence, trusting in the proverb, "*Magna est veritas, et prevalebit.*"

I have, &c.

(signed) John Leonard,
Catholic Chaplain, R. H. M. School.

25th March 1870.

P.S.—Since the above have been written two additional cases have been received into the Institution, which really seem unaccountable, if the rules laid down in the Charter are generally observed in the admission of children. But I do not wish at present to re-open the admission question by going into the particulars of the claims of these children.

J. L.

29th March 1870.

APPENDIX.

Parliamentary
Returns: money
grants.

It is admitted by all connected with the Royal Hibernian Military School, that it is a public institution, supported almost entirely by the annual parliamentary grants, so small and inconsiderable are its private funds. The truth of this statement may be seen at a glance by reference to the last Parliamentary Return on the subject, viz. that obtained by Mr. Maguire in 1864, in which it is stated by the present commandant that the "Parliamentary grants of money from 31st March 1861 to 31st March 1864," amounted to 68,120 £. 13 s. 6 d., whilst the "private funds" produced but "6302. 9 s. 10 d.;" or, in other words, whilst the Parliamentary grants of money contributed something like 133 £. 7 s. 3 d., the private funds contributed merely the trifling sum of 12 £. 10 s. 8 d. towards the support of each boy during the same period.

Purpose of Parli-
mentary grants.

It is, moreover, admitted that these immense annual grants are allotted by Parliament for a specific purpose, viz. to provide an asylum to shelter the orphans and children of the soldiers of the British army; the orphans, irrespective of creed or nationality, however, having, as a general rule, a prior claim to admission, according to all the Charters of the institution.

Such

Such being the case, it seems but just to the Members of the House of Commons, who so liberally and generously provide funds for the maintenance of this establishment, as well as to the public at large, who contribute to the taxes of the country, that an account should be rendered each year by those entrusted with the expenditure of so much public money. This account should be minute and particular, showing not merely the actual expenditure of the money on the children of soldiers, but that it was expended upon that particular class and description of children for whose support it was specially and first of all intended, viz. the orphans, according to the terms of the Charter.

Parliamentary Returns most desirable.

If such were the case for the last four years, the return at foot will serve the best interests of the institution, by proving clearly that the public money was judiciously expended on the objects of charity for whom it was principally intended. If, on the other hand, by any mistake, those who were really entitled to the benefits of the institution were not shown in them, this Return will be the means of assisting in having those mistakes rectified for the future; so that, whether the Hibernian School admissions were according to the Charter or otherwise, the school itself must be a gainer by the return. And if this return be made every year, as I suggested at page 51 of the preceding correspondence, by the proposed committee of officers, the institution must rise higher and higher in public estimation, and will be sure of receiving a continuance of that support so generously accorded to it up to the present, its income being now not far from £20,000 *per annum*, as I have just stated. Although the return at foot may seem complicated, and entering too much into detail, I have no hesitation in saying that is not so in reality, as nearly all the information may be had without any trouble from the letters of application or "petitions" for admission, which are in the hands of the authorities of the school, and it is modelled after that supplied to the governors at their monthly meetings, with some important detail added that are absolutely necessary to make it at all useful for the objects in view in publishing it, viz., to satisfy the Members of the House of Commons and the public at large, that the public money annually voted for the support and maintenance of the Royal Hibernian Military School has been judiciously applied to the purposes for which it has been granted, viz., firstly and principally the support of those children whose fathers are alive and absent on foreign service, or have large families to maintain.

Parliamentary Returns most useful to Institution.

With these few preliminary remarks, I will simply mention the heads of the return, which may be drawn up like "Form A" at page 25, only with an additional number of columns. A return of the names of the boys on the books of the institution for admission on the 13th of March 1866 (the date of the last Parliamentary Return), and of those who since applied, specifying the name and surname of each boy, the precise date of first application for admission, the age of the boy on the preceding date, the precise date of being "entered on the list of applicants" (according to the terms of printed circular of Secretary informing the parent or guardian of the fact), the precise date of admission by "the committee of seven" (if admitted), the class of applicant, viz., first, second, third, or fourth, according to the Charter—the religious faith in which the boy was baptised, that in which he was always reared previous to his application for admission, that in which he is now registered (if actually received into the institution, or "joined," as it is styled), the name and rank of father, name of mother, the religious faith of father, same of mother, the number of children in family now living, the regiment of father, the period of service, the mode of pay (if serving), and of pension (if discharged and living), in what manner employed, in what manner mother (if living) is employed, actions in which father served, name and address of parent or guardian applying for admission of any child (at time of application), and present address, where such is known to be different from preceding, and lastly, a column for remarks as in form "A," and copies of "remarks" of commandant submitted to "committee of seven," when the names of any of the above boys were recommended by him for admission since the 13th of March 1866, down to present date; the reason any boy did not "join although admitted" by committee (such for instance as being medically unfit, &c.).

Form of Return suggested.

Of the names of all boys at present on the books of the institution as applicants, giving the same particulars in each boy's case, so far as they can be given. Of all those applications which did not result in petitions, of petitions which did not result in admissions (that is, of those who are now disqualified by age), and of admissions ordered which did not result in boys being received, giving the same particulars as in the two preceding returns so far as they can be ascertained, stating the reasons concisely why applications of first and second class claimants did not result in petitions, or petitions in admissions, if any such cases occurred, and the average percentage of boys baptised in the Catholic, Protestant, and Presbyterian Churches, who were not received into the institution, although "entered on the list" of applicants at any time from 13th March 1866 (date of Parliamentary Return), to 13th March of the present year, "to be brought under the notice of the governors for admission to this asylum" as vacancies occurred and the claims merited, specifying the religious denomination and class according to the Charter.

Copies of all correspondence relative to non-admissions or delays in admission of all first and second class cases according to the Charter, when not admitted within three months after being "entered on the list of applicants;" or relative to third and fourth class cases when not admitted within six months after being entered on the said list, and of all correspondence relative to doubtful cases of registration since date of last Parliamentary Return.

The

The above Return merely supplies some very important data omitted in that asked for by Mr. Maguire in 1865, which will render it complete and really useful as a public document, and can be furnished without difficulty, as I have already stated.

"The Hibernian School, Phoenix Park.

"London, Saturday, April 1, 1865.

"Immediately before the adjournment of the House of Commons yesterday morning,—

"Mr. Maguire said he had given notice of a motion for certain returns relative to the Hibernian Military School, which he hoped would not be opposed. He begged to move for a Return of the officers, teachers, and other officials of the Royal Hibernian Military School appointed since the date of last Parliamentary Returns, specifying their names, religion, employment, annual salary, annual value of their allowances, residences, and whether they are still on the staff of the establishment, or whether they have since died, resigned, or been promoted to other positions in the same or similar institutions; of officers now vacant, specifying the nature of such offices, the annual salaries and allowances of said officers, and the dates when said vacancies occurred; of any changes in the books in use since the date of the last Parliamentary Return, for the general, secular, or religious instruction of the boys, and a copy of all correspondence relative to such changes; of the annual salaries and allowances as well as the annual value of the quarters of the Roman Catholic and Protestant clergymen of the institution, and a copy of all correspondence since the date of the last Parliamentary Return relative to the quarters and salary of the Roman Catholic clergymen of the institution; and the average number of Roman Catholic and Protestant boys in the school during the years 1861, 2, 3, and 4, and the number at present in the institution; of the number of applications for admission into the school during the same years, specifying first the names of the boys admitted each year, with the dates of the applications for admission; secondly, the religious registration of the boys so admitted; thirdly, the religious faith the boys so admitted were baptised in; and fourthly, the names of the boys at present on the books of the institution as applicants, and the religious faith in which they were baptised, and a copy of the application papers and all correspondence relative to the admission and religious registration of a boy named Joseph O'Callaghan, son of John O'Callaghan, late colour-sergeant in Her Majesty's 11th Regiment of Foot.

"Mr. Vance said he felt it his duty to oppose the motion, as he had opposed it on a former occasion. It seemed to him that the honourable gentleman was not justified in asking for the information which he sought by way of return. The motion was invidious not only to the institution itself, but to the gentlemen whose services were usefully employed in it, because it asked for the religion of all parties in the school.

"The Marquis of Hartington thought that the return moved for ought to be granted. The speech of the honourable Member for Dublin convinced him still more that the return ought not to be refused. All the information now asked for had been, in fact, given on former occasions, and the present motion was only to bring the information down to the present date. He must remind the House that similar returns had been granted since 1844, and, therefore, he could not see any reason why this should now be refused, and more especially when it was recollected that some circumstances had been brought to the knowledge of the House by the honourable gentleman the Member for Dungarvan, to which it was impossible at the time that he, on the part of the Government, could give a complete denial.

"Mr. Whalley moved the adjournment of the House.

"The House divided.

"For the adjournment	-	-	-	-	-	10
"Against	-	-	-	-	-	29
"Majority against						19

"Sir Edward Grogan said he was surprised that the Government should have given their support to such a motion as that brought forward by the honourable gentleman the Member for Dungarvan. He considered that the attack made by the honourable gentleman on the Hibernian School was an unworthy one, and that the inquiry which the returns sought for was inquisitorial in the last degree. He was most strongly opposed to the latter part of the motion of the honourable Member (Mr. Maguire), namely, that which called for papers and correspondence classified under the various heads stated in the motion, and he should, therefore, again divide rather than allow such a return to be ordered by the House.

"Mr. Maguire said he must decline to alter the motion he had made, and which the noble Marquis, on the part of the Government, had intimated his intention of supporting.

"Mr. Vance then called the attention of the Speaker to the fact that 40 Members were not present, and the House having been counted and 40 Members not being present,

"The House stood adjourned at about 20 minutes past two o'clock."

These returns were not obtained in the Session of 1865, in consequence of 40 Members not being present at the division for adjournment of the House, although there was actually

a majority of 19 in favour of not adjourning. However, others more complete even than these were "ordered" by the House of Commons, 13th March following, and were printed by order of the "same honourable House, 30th May 1866," and are the returns so often referred to in the preceding correspondence, and have certainly proved most useful. Would that similar returns were ordered every Session!

25th March 1870.

J. Leonard, C.C.

Extract from the "Irish Times," April 3, 1866, relative to the division just referred to.

"Royal Hibernian Military School—Mr. Maguire—Debate arising; motion made, and question put, 'That the debate be now adjourned' (Mr. Whalley)—The House divided; ayes 10, noes 29.

"AYES—Bruen, Henry; Griffith, Christopher Darby; Hamilton, Ion Trent (Dublin Co.); Heygate, Sir Frederick W. (Londonderry Co.); Hunt, George Ward; O'Hara, Charles William; O'Neil, Edward; Torrens, Robert; Vane, John; Whiteside, Right Hon. James. Tellers for the ayes, Sir Edward Grogan and Mr. Whalley.

"NOES—Angerstein, William; Antrobus, Edmund; Bowyer, Sir George; Brand, Hon. Henry; Cardwell, Rt. Hon. Edward; Castlereagh, Viscount; Cox, William; Davy, Richard (Corkwall, W.); Fenwick, Henry (Sunderland); Gibson, Rt. Hon. Thomas Milner; Gladstone, Rt. Hon. William; Hartington, Marquis of; Henderson, John; Hennessy, John Pope; Knatchbull-Hugessen, E. (Sand.); Lawson, Wilfrid; Lefevre, George John Shaw; Locke, John; McCann, James; MacEvey, Edward; Martin, James (Tewkesbury); Morris, William; O'Loughlin, Sir Coleman Michael; Pease, Henry; Scully, Vincent; Staurope, William; Villiers, Rt. Hon. C. Pelham; White, Hon. Luke (Kidderm.); Wood, Rt. Hon. Sir Charles (Halifax). Tellers for the noes, Mr. Maguire and Dr. Brady."

From this extract it is evident that the present Prime Minister, the Marquis of Hartington, Mr. Cardwell, Lord Castlereagh, and other Members of the Ministry of the day were in favour of granting the returns then asked for, which returns were ordered the following Session.—*J. L.*

(B).

FACTS worthy of notice relative to the danger of the loss of faith of Catholic children at the time or after their admission and religious registration in the Royal Hibernian Military School, Phoenix Park, Dublin, &c., &c., &c.

Catholics are exposed to danger.

1st. ACCORDING to the Parliamentary Return, No. 308, 1866, page 17, there were on the 13th March 1866, 51 Catholics and 46 Protestants of all denominations on the books of the Royal Hibernian Military School as applicants for admission; that is, the Catholic applicants were 52.58 per cent., whilst the Protestant applicants were but 47.42 per cent.; yet between March 1866 and October 1869, there were only 31.37 per cent. of the Catholic applicants received into the institution, whilst there were 68.7 per cent. of the Protestant applicants on the same list admitted. One Catholic at least, was, I believe, registered as a Protestant. (For particulars see pages 20 and 37.) According to same return, Joseph O'Callaghan, the Catholic child of a Catholic father, was also registered as a Protestant. (For particulars of O'Callaghan's case, see page 44, and for other cases, see page 46.)

2nd. A Catholic soldier named Murnane, of the 88th Regiment, married a Protestant named Hayes, in 1852. They were married by a Catholic priest in England. The wife lived as a Catholic from 1852 to 1869, that is, from the date of her marriage to the time of her husband's death. Even after his death she was attended at Capetown by a Catholic priest during a severe illness. All their children, five in number, were baptized as Catholics, and three of them are still Catholics. Two of them, however, are now registered as Protestants in the Hibernian School.

3rd. Murnane, three days before his death, asked his wife to promise him, and she admits that she did promise him, that "if anything happened him at Capetown, she would go to Dublin, and put his two boys, John and Hugh, into the Hibernian School as Catholics."

4th. The wife has frequently asserted, in the presence of witnesses, that she actually left Capetown for Dublin to carry out what she looked upon as the dying request of her husband. That she landed in Dublin with 4 s. and her four children some time in September last. That she communicated with the authorities of the Hibernian School relative to the arrival, and he communicated with the authorities of the Hibernian School relative to the admission of her two boys. That every facility was afforded her to go out to the institution.

tion. That she was desired to take a cab, and that the fare would be paid at the school. That she gave all the necessary information required for the filling of the "petition" to one of the officials, and, amongst other things, *that she expressed a wish to have her children admitted as Catholics*. That no difficulty was raised to admitting them as such, except that she had not the certificates of their baptism in the Catholic Church. That John's was, however, procured in a few weeks from the regiment, and that Hugh's was written for to the Cape of Good Hope by an official of the school. That as soon as her £2., and her small stock of clothing were exhausted, she put her four children, on the 10th September, in the North Dublin Union Workhouse, and registered them *as Catholics*. That she did not wish to have her boys in the North Dublin Union, and only placed them there until she could get them into the Hibernian School. That she felt that the only thing that kept them from admission into the Hibernian School was the want of their baptismal certificates. That in order to remove that difficulty, she withdrew John and Hugh from the North Dublin Union on the 10th November, and had them baptised the very same day in St. Michael's Protestant Church, Dublin, *solely to qualify them for admission into the Royal Hibernian Military School*. That failing to get them received at once (it being then the middle of the month) she put them back into the North Dublin Union Workhouse on the 16th of the same month, *as Catholics*, as is evident from the registry of the last-named institution.

5th. On the 3rd February last, the widow Murnane had her two sons registered in the Royal Hibernian Military School as Protestants, notwithstanding that they were baptised as Catholics; that they were reared as Catholics from their infancy until the date of their reception into the school; that their Catholic father had, three days before his death, asked his wife to undergo the dangers of a long sea voyage to carry out his last wishes with regard to the religious education of his children; and that she did actually undertake that long and perilous journey for the express purpose of fulfilling what she looked upon as the dying request of her husband. This fact is the more extraordinary, as she has frequently stated, that she so registered her children as Protestants, simply because she felt some difficulty in getting them in as Catholics, on account of the want of Hugh's certificate of baptism in the Catholic Church. That it was not from any love of Protestantism is evident from the fact of her allowing them to be reared as Catholics, until the very day they entered the Royal Hibernian Military School, although they had been baptised as Protestants nearly three months previously.

6th. No sooner is this registration of Catholic children as Protestants effected, than the widow is filled with remorse. She cannot rest at the idea of having broken the solemn promise she made to her husband. She wishes to have the registration changed, goes before a magistrate, and makes the following declaration empowering the Very Rev. Canon Brock, P.P., who had spiritual charge of the children during their stay in the North Dublin Union Workhouse, and the Rev. John Leonard to carry out her wishes in that respect:—

[Copy of Declaration of Widow Murnane.]

"County of the City of Dublin to wit.

"I, Bridget Murnane, alias Hayes, widow of John Murnane, of the 88th Regiment, do solemnly and sincerely declare that I promised my husband to rear my children in the Roman Catholic faith. I regret that I had them registered as Protestants on the list of the Hibernian School, Phoenix Park, Dublin, and I hereby authorize the Very Rev. Canon Brock, P.P., St. Paul's, Arran Quay, and the Rev. John Leonard, C.C., Clonsilla, to have the registration of my children, John and Hugh Murnane, altered, so that, for the future, they will be entered in the institution, not as Protestants, but as Roman Catholics, and I make this solemn declaration, &c. * * *

"Made and subscribed before me this 6th day of March 1871.

"(signed) James Duffy, J. P.

See
"Bridget + Murnane.
next.

"True Copy.

"James Darnley."

7th. What makes the above admission and registration still more remarkable is, that another Catholic widow, named Brister, applied for the admission of two of her boys, named Daniel and Joseph, in the latter end of 1868 or early in 1869. Joseph, the younger, was received into the Hibernian School in February 1870, that is, after having been, according to his mother, about 18 months on the list of applicants, and she was informed, during the month of May following, that no hopes could be held out to her for the admission of her son Daniel, the reason assigned being, that there "is already one of the two sons whose admission you applied for last year" in the institution.

This, however, seems a rather illogical reason when it is remembered that the Widow Murnane got the two Catholic sons of a Catholic soldier into the same institution as Protestants on the same day, and after little more than four months' application, whereas the Widow Brister could only get one son in, after more than 18 months' patient waiting for the admission of her children.

8th. That other children, apparently Catholic before their admission, have been registered as Protestants in the Royal Hibernian Military School, would seem pretty clear from

from the following samples of letters received by the chaplain at various periods from boys actually registered as Protestants:—

[Copy.]

"Reverend Father Leonard,
 "I do wish to be a Roman Catholic, and I am a true Roman Catholic; my father was a Catholic and my mother a Protestant, and I will follow my father, my father and my brother died both Catholics, and I wish to die one too, I know if I died a Protestant, I will be condemned to hell. I do come into the Roman Catholic prayers constantly.

"(signed) A. B."

[Copy.]

"Dear Father Leonard, If you please would you be kind enough as to get back my religion, I would like to have my religion back again for I am miserable.

"(signed) C. D."

[Copy.]

"Father Leonard, I am not happy a Protestant, my religion is a Roman Catholic.

"(signed) E. F."

The names are not given at present, but the names of the boys are signed in full in the originals. (See p. 46.)

Had the suggestions of the Catholic chaplains relative to the registration of children been adopted by the governors, many, if not all, of such extraordinary cases would meet probably be prevented. That these suggestions were not unreasonable may be seen by those who take the trouble of referring to pages 48-52, particularly when it is remembered that the institution enjoys nearly 20,000 l. per annum from the public revenues of the country, according to the latest Parliamentary Return on the subject—No. 302, 1864, page 7; and that there is not one Catholic amongst the 31 governors, nor one Catholic official employed in the admission or registration of the children.

CATHOLICS ARE EXPOSED TO DANGER AFTER THEIR ADMISSION.

1st. According to the Parliamentary Return, No. 363, 1844, no less than 19 boys abandoned, during the preceding four years, the Catholic Faith whilst pupils of the school, eight of whom were under nine years of age.

2nd. Many more renounced their faith whilst pupils of the school between the years 1844 and 1859.

3rd. One or more of these boys were acting as servants to the Protestant officials in the school.

4th. One pervert was appointed to the position of monitor, although no Catholic pupil was ever previously selected for such position.

5th. There is a rule for some years back prohibiting such changes of religion amongst the boys whilst pupils of the school; but still many of the same dangers of the loss of faith continue; for example, some of the books in use in the school are totally unfit for Catholic children, or even for Protestant children, when read aloud, or explained by them in the presence of Catholics. (See Parliamentary Return, 1866, No. 308, page 5, for list of books). One or two extracts will suffice to show the drift of the authors: "*Father was roused to protest against the Pope's power of granting indulgences, by the extent to which Leo X. and his priests abused it,*" etc., etc. Page 93 (1st Book of English History), Gleig's Series.

Again, in the same work, page 101, we find it stated, that the "*Church of Rome had, without doubt, allowed gross fables to creep into her system.*"

The fruits of the use of such works in the hands, or when read in the hearing, of the Catholic children, are, that the faith of all is more or less weakened, and in some it is entirely destroyed. It was only within the last few months that one Catholic boy renounced the Catholic Church, shortly after having left the Hibernian School.

As the Hibernian School authorities constantly receive information concerning the pupils who enlist, it would be well to have a Parliamentary Return of all the boys who abandoned the Catholic Church after having left the institution, as well as of those who lost their faith at the time of their admission, or whilst pupils of the institution.

6th. The above are but a few of the dangers to which the faith of the Catholic children is exposed during their progress through the institution. All who wish to see the faith of Catholic children thoroughly protected, both when applying for admission, and after their admission into the Royal Hibernian Military School, will serve the cause of those children by using their influence in assisting in having certain Parliamentary Returns moved for, regarding the above-mentioned institution, somewhat similar to those already granted in 1844, 1861, 1864, 1866, copies of which can be had through Messrs. Thom, Abbey Street, Dublin, by merely quoting their number and year of publication.

(signed) John Leonard, Catholic Chaplain,
 Royal Hibernian Military School.

The Commandant to the Reverend *J. Leonard*.

Royal Hibernian Military School,

6 June 1871.

Reverend Sir,
I am to acknowledge the receipt of your letter of yesterday's date directing my attention to the illegal registration as Protestants of John and Hugh Murnane, pupils in this institution.

I have, &c.

(signed) *H. Wyngard*,
Lieutenant Colonel, Commandant.

The Very Rev. Dr. Leonard,
&c. &c.

— No. 6. —

COPY of CORRESPONDENCE between the Roman Catholic Chaplain, usually styled Roman Catholic Officiating Clergyman, and the Commandant, President, and Governors, relative to the Dismissal of the Catholic Chaplain by Resolution of the Board of Governors on the 16th June 1871.

The Commandant to the Reverend *J. Leonard*.

Royal Hibernian Military School,

23 March 1871.

Reverend Sir,
It having been reported to me that on Friday the 16th instant you entered the hospital, by way of the kitchen, went to the dining-room of the hospital and there held a conversation with boy "John Murnane" as to his religion, he being a boy belonging to this institution, and whose name was not on the list of Roman Catholic boys, and who had not been brought to you as of the Roman Catholic religion by the Roman Catholic serjeant, I yesterday interrogated the boy as to the discourse you had with him on that occasion, and as he admits, and "Samuel Berns," a Roman Catholic pupil who was present corroborates his admission, that you did hold such conversation, I have the honour to request you will favour me with any explanation you may desire to offer in regard to such a breach of Rule No. 16 of the General Regulations of the institution.

I am, &c.

(signed) *Henry Wyngard*,
Lieutenant Colonel Commandant.

The Very Rev. Dr. Leonard,
&c. &c.

Reverend *J. Leonard* to the Commandant.

St. Mochta's, Clonsilla, County Dublin,

24 March 1871.

Sir,
I HAVE the honour to acknowledge the receipt of your letter of yesterday's date, in reference to a report made to you relative to my conduct in hospital on the 16th instant.

Before entering on a correspondence concerning another report from the hospital relative to me, I have in the first place to request that you will inform me whether any decision has been come to relative to the preceding report, viz., that of Dr. Templeton; and, secondly, that you will furnish me with a copy of the "Rule No. 16 of the General Regulations of the Institution," referred to in your favour of yesterday's date.

I abstain from all further comment at present.

I have, &c.

(signed) *John Leonard*,
Catholic Chaplain,
Royal Hibernian Military School.

The Commandant,
Royal Hibernian Military School.

The Commandant to the Reverend *J. Leonard*.

Reverend Sir,

Royal Hibernian Military School,
25 March 1871.

In reply to your letter of the 24th instant, I beg to refer you to the Secretary's communication of 22nd August 1863, the last paragraph of which contains copy of the rule I alluded to in my letter of 23rd instant.

With reference to your remark that before entering on a correspondence concerning another report from the hospital relative to you, you request I will inform you whether any decision has been come to relative to the preceding report, I have to acquaint you that I decline to confound the two occurrences.

I have, &c.
(signed) *H. Wynyard*,
Lieutenant Colonel, Commandant.

The Very Rev. Dr. Leonard,
&c. &c.

Reverend *J. Leonard* to the Commandant.

St. Mochta's, Clonsilla, County Dublin,
26 March 1871.

Sir,

In reply to your communication of yesterday's date, I have the honour to inform you that I brought the case of the religious registration of John and Hugh Muruane under the notice of his Excellency the Lord Lieutenant on the 14th instant, and I presume, therefore, you would not wish to continue this correspondence pending the inquiry promised by his Excellency, according to your own ruling in your letter of the 21st January last relative to Dr. Templeton's report of the 11th of same month.

I will conclude, therefore, by simply adding that, at the proper time, I will be quite prepared to explain my conduct in the hospital on the 10th instant, which I can by no means admit to be correctly represented in your letter of the 23rd instant.

I am, &c.
(signed) *John Leonard*,
Catholic Chaplain,
Royal Hibernian Military School.

The Commandant,
Royal Hibernian Military School.

The Commandant to the Reverend *J. Leonard*.

Royal Hibernian Military School,
9 May 1871.

Reverend Sir,

I HAVE the honour to transmit to you the following copy of a resolution passed by the Governors in general meeting to-day, upon my submitting to them your letter of the 4th instant, and to acquaint you that the date of the committee's recommendation, which you ask for, is, "1st March 1871."

Re Maloney.

"The omission of the date of the recommendation of the committee was accidental. It may be furnished to the Rev. Mr. Leonard.

"The Board of Governors are obliged to notice with regret that several days having elapsed since the date of the letter of Government to the Rev. Mr. Leonard, in which he is enjoined to make an explanation to the Commandant according to the request of the letter in his letter of the 23rd March, as yet this explanation has not been afforded."

Re Mamane.

I am, &c.
(signed) *H. Wynyard*,
Lieutenant Colonel, Commandant.

The Very Rev. Dr. Leonard,
&c. &c.

Reverend J. Leonard to the Commandant.

St. Mochta's, Clonsilla, County Dublin,
10 May 1871.

Sir,

I HAVE the honour to acknowledge the receipt of your communication of yesterday's date, conveying to me the resolution "passed by the Governors in general meeting" on the same day.

In the first place you will be good enough to thank the Governors for supplying "the date of the committee's recommendation" to the general meeting of Governors to the effect, "that my services as Catholic chaplain ought to be dispensed with on account of my systematic and persistent interference with matters which are outside the duties of my office," previous to the 1st March 1871, and I have now to request that—

1st. That you will ask the Governors to furnish me with the dates and particulars of "such systematic and persistent interference with matters outside the duties of my office," as I really cannot admit that I was guilty of any such conduct, and possibly I may be able to explain the unfavourable reports made to the Governors relative to me. Should they supply me with the dates and particulars just referred to, I have no doubt I will be able to do so.

I trust that the Governors will not consider this request unreasonable when it is borne in mind that the punishment threatened for a repetition of such conduct is nothing less than a fine of 150 £ sterling per annum for the term of my natural life, as well as a certain loss of character in the eyes of my Spiritual Superior, his Eminence the Cardinal Archbishop of Dublin, some hundreds of my brother priests, and some thousands of the Catholic laity of the parish where I officiate as a clergyman of the Catholic Church, particularly as the first intimation of my trial and conviction for a series of offences, serious at least as to their consequences, was the letter conveying the sentence, viz., that of the Commandant of the 27th ultimo, and as I was consequently unable to make any defence or explanation of such alleged misconduct.

2nd. I have only to remark, that my reason for not attending at once to the suggestion of the Lord Lieutenant, conveyed to me in Mr. Burke's letter of the 2nd, and received by me only on the 4th instant, is simply this, that I cannot undertake to explain a *breach of Rule No. 18*, "as found at page 54 of the "Rules and Regulations," &c. &c., as I do not admit I was guilty of it. But I am preparing at present for his Excellency the President of the Institution a few remarks on Mr. B.'s letter, and I am giving a *full account* of my interview (as taken down in writing on the occasion) with boy John Marone on the day in question; and should his Excellency still hold, with this account before him, that I was guilty of a breach of said rule, I feel confident that I will be able to give a satisfactory explanation of my conduct on that occasion.

3rd. I have the honour to inform the Governors, through you, that I cannot really understand why there is so much *evident urgency* about the explanation of my conduct in the hospital on the 10th of last March, whilst there is *apparently so much apathy* in arriving at an explanation of my conduct in the same hospital on one of the last days of December 1870, or on the 1st January 1871. I beg to remind the Governors that my letter to you of the 3rd February remains still *unacknowledged*, and I beg to inform the Governors also, that when that report comes to be fully investigated, I have evidence in my possession that will perhaps be new to the Governors, as to the position of a Catholic chaplain, even when charged with the commission of a serious offence, in the hospital of the Royal Hibernian Military Schools, on a day when he was not actually within nearly four miles of the institution.

In conclusion you will please also intimate to the proper authority, that I request permission to be present at the meeting of governors at which this communication may be submitted, *according to the privilege enjoyed by me so very frequently during Lord Strathnairn's term of office as vice-president of the Institution*. Of course I do not press my claim or privilege to be present at any discussion of the governors arising from the letter, though I think it would be a matter of convenience, at least to the governors, that all parties concerned should be present. At the same time I do not wish to be understood as ad-

mitting

mitting by the above concession, of not pressing "my claim or privilege," &c., that I consider the regulation made some time since in that matter, one of which I can approve.

I have, &c.
(signed) John Leonard,
Catholic Chaplain,
Royal Hibernian Military School.

The Commandant
Royal Hibernian Military School.

COPY of LETTER dated 5th June 1871, with "Printed Matter" (A), and "Pamphlet" (B), from the Rev. J. Leonard to the Commandant, will be found with Papers No. 5.

The Commandant to the Reverend J. Leonard.

Royal Hibernian Military School,
16 June 1871.

Reverend Sir,
By direction of the Board of Governors of the Royal Hibernian Military School, I have the honour herewith to transmit for your information copy of a resolution passed by them in general meeting yesterday.

I am, &c.
(signed) Henry Wynyard,
Lieutenant Colonel, Commandant,
Royal Hibernian Military School.

The Very Rev. Dr. Leonard.
&c. &c.

COPY of a RESOLUTION passed by the Governors of the Royal Hibernian Military School, in General Meeting, at the Royal Hospital, Kilmainham, on the 15th June 1871.

"THAT, as the Rev. Mr. Leonard has neglected to furnish the explanation called for in the letter of the commandant of 23rd March 1871, and bearing in mind the lenity and forbearance with which the reverend gentleman has on former occasions been treated, unfortunately with no good result, as exemplified by his letter of 5th June 1871,—his longer continuance as the officiating Roman Catholic clergyman in the Royal Hibernian Military School is inconsistent with the well-being and proper maintenance of discipline in that institution, and the services of the Rev. Mr. Leonard be dispensed with at the termination of the present quarter."

"Adopted."

(A True copy.)
(signed) F. B. Speedy, Lieutenant Colonel,
Secretary, Royal Hibernian Military School.

Reverend J. Leonard to the Commandant.

St. Mochta's, Clonsilla, County Dublin,
28 June 1871.

Sir,
I HAVE the honour to forward herewith my reply to your letter of the 16th instant. My reply is printed and dated the 22nd instant. You can have a copy for each of the governors should they desire to have them.

I also have the honour to forward at the same time a copy of the Under Secretary's letter written by direction of his Excellency the Lord Lieutenant, as well as a copy of my letter to his Excellency in reply to the letter of Mr. Burke, just referred to, so that I think you have now either the originals or copies of all the documents referred to in my printed communication of the 22nd instant.

I have, &c.
(signed) John Leonard,
Catholic Chaplain,
Royal Hibernian Military School.

The Commandant
Royal Hibernian Military School.

22 June 1871.

D.C., 2 May 1871.
24 May 1870.

REPLY of Catholic Chaplain, Royal Hibernian Military School, to letter of Commandant of 16th June 1871, and observations on "Resolution" of Governors, ordering his (the Catholic Chaplain's) almost instant dismissal, on the alleged testimony of two boys, aged about 13 years 6 months, and 10 years 6 months, respectively, without any opportunity of his either hearing the evidence given, or seeing copies of the said evidence, &c., and although the Catholic Chaplain denied the violation of the rule in question.

St. Moehsta's, Clonsilla, County Dublin,
22 June 1871.

Sir,

I HAVE the honour to acknowledge the receipt of your letter of the 16th instant, covering copy of a resolution "adopted" by the governors of the Royal Hibernian Military School, assembled in general meeting on the previous day, to the effect, that I am to be dismissed from my position as Catholic Chaplain of the Institution, from the 30th of the present month, the only specific cause assigned being, "that I neglected to furnish the explanation called for in the letter of the commandant of the 23rd March 1871."

I have now to request that you will inform the governors, that I hereby enter my solemn protest; firstly, against your version of "Rule No. 16," as contained in your letter just referred to, with the violation of which I have been charged; secondly, against the manner in which the investigation concerning my conduct, with regard to the alleged violation of said rule, was conducted; and thirdly, against the sentence of dismissal issued by the governors for said alleged violation.

First, with regard to your version of the rule in question, I beg to say, that your letter of the 23rd March gives neither the exact words of the rule, nor does it express its meaning. For, you say, that Rule 16 forbids me to "hold a conversation with the boy 'John Murnane as to his religion, he being a boy belonging to this institution, and whose name was not on the list of Roman Catholic boys, and who had not been brought to you' as one of the Roman Catholic religion by the Catholic sergeant." (See *Letter of Commandant*, 23rd March 1871.)

The rule itself is as follows:—"To prevent any misunderstanding on the subject in future, the governors direct that it be announced in orders, and be a standing order of the institution, that all boys on admission are to belong to the religion they enter with, until the age of 14, and that no person whatever shall attempt to tamper with them, on penalty of dismissal." See *Rules and Regulations*, p. 54. These being the exact words of the rule in question, I respectfully submit, that my interview with John Murnane was not a violation of said rule, unless it be proved; firstly, that he was legally and correctly registered as a Protestant at the time of his entrance; for, certainly, the rule cannot be understood to say, that children *illegally, and incorrectly registered as to religion, are to be so reared and educated*; and secondly, that, having been legally and correctly registered, I attempted to "tamper" with his religious convictions.

Now, I have no hesitation in saying, that neither John nor Hugh Murnane was legally entered as Protestant at the time of his entrance, on account of the decision lately given by the "Lords Justices" of England, in the case of *Hawkesworth v. Hawkesworth*, referred to in my letter of the 5th inst., as well as on account of the very peculiar circumstances of their registration as Protestants, although the children of Catholic parents, although they were baptized as Catholics, and reared and educated as Catholics up to the moment of their entrance into the institution. And I am equally confident, that, in my interview with John, I did not, in the slightest degree, attempt to "tamper" with his religious convictions. I merely endeavoured to elicit from him information on matters of fact, which information was intended for his Excellency the Lord Lieutenant, as president of the institution.

For this purpose I took down in writing my questions, as well as his answers, and I furnished to his Excellency a true copy of both, and asked him to say "whether I violated Rule No. 16 of the General Regulations, by acting as I did on the occasion, particularly when I told your Excellency that my principal motive for doing so was to be able to inform your Excellency with regard to his religious registration in the Royal Hibernian Military School." (See *Letter of Chaplain to Lord Lieutenant*, 24th May 1871.) His Excellency has not as yet decided that my interview was a violation of said rule; and I think that until I have been proved guilty of its violation, I should not be visited with the consequences of its violation.

Now, I respectfully submit, that I have not been proved guilty of its violation, for I protest against the irregular and unconstitutional manner in which the investigation, with regard to the alleged violation of said rule, was conducted. If the smallest boy, or the lowest official, of the institution commit a fault, he is put face to face with his accuser, he is allowed every opportunity of defending himself, and is permitted to call witnesses, if necessary, to sustain his statements. And, will it be believed, that when the Catholic chaplain is accused of the violation of a rule, which is punishable with dismissal, he is not informed of the name of his accuser, much less put face to face with him; he is not asked whether he is guilty or not guilty of the alleged offence; he is not furnished with a copy of the evidence against him, and is, consequently, deprived of the opportunity of rebutting the statements made, and of establishing his innocence!

In a word, will it be believed, that the Catholic chaplain is tried and convicted behind his back, and without the slightest intimation of the investigation, until he is asked in the letter of the Commandant of the 23rd March last to favour him (the Commandant) with

with any explanation he (the chaplain) may desire to offer in regard to such a breach of Rule No. 16 of the General Regulations of the institution?" (See *Letter of the Commandant to the Chaplain*, dated 23rd March 1871.)

Will it be believed, that when the Catholic chaplain, in his reply of 26th March last, merely "presumes" that the commandant "would not wish to continue this correspondence, pending an inquiry promised by his Excellency, according to his (the Commandant's) own rating in his letter of the 21st January relative to Dr. Templeton's report of the 11th of the same month." (See *Letter of Chaplain to Commandant*, 26th March 1871.) Will it be believed, I say, that his Excellency is informed that the Catholic chaplain "declines" to give the required explanation? (See *Letter of Under Secretary to Chaplain*, 2nd May 1871.)

Will it be believed, that when the Catholic chaplain, on the 10th May last, informed the Commandant that his reason for not giving the explanation required in his (the Commandant's) letter of the 23rd March was simply this, that he cannot undertake to explain "a breach of rule" (see *Letter of Chaplain to Commandant*, 10th May 1871), of which he was not guilty, although he had previously intimated his readiness to give "an explanation" at the proper time in his letter of 26th March, he hears no more of the matter until on the 17th of the present month he is furnished with a copy of a resolution dismissing him from his position of Catholic chaplain, and depriving him of a salary of 150*l.* per annum for having "neglected to furnish the explanation called for in the letter of the Commandant of 23rd March 1871," etc., etc. (See *Resolution adopted* 15th June 1871.)

And, yet, this is the manner in which I have been treated in this serious and important matter, in which I was acting as the agent or representative of the mother, and of the Very Rev. Canon Brook, F.R., in endeavouring to have the two Catholic children of Catholic parents registered as Catholics, according to the dying wish of their Catholic father, in the Royal Hibernian Military School, and not as Protestants as they are at present, as is evident from her declaration made before a magistrate, and furnished to the president of the institution on the 14th March last. (See *Widow Murray's Declaration*, 6th March 1871.)

I come now to "the sentence of dismissal issued by the governors for said alleged "violation," and I solemnly protest against it, first, because I believe in my heart that I violated no rule of the institution on the day in question. Secondly, because I have not been fairly and legally convicted of the violation of any rule, as I cannot admit that the investigation held in the manner I have just described is one binding on me. Thirdly, because I have neither "declined" nor "neglected" to furnish an explanation of my conduct on the 10th of March 1871, although not precisely given as requested in the commandant's letter, for the reason stated in my letter of the 10th May, viz., that I could not undertake to give an explanation of a "breach" of rule, as long as I sincerely believed, in my heart, that I was not guilty of it.

That I have not neglected to furnish an explanation of my conduct on the day in question, is evident from the fact that I forwarded to his Excellency the Lord Lieutenant, as the president of the institution, and as ex-officio chairman of the board of governors, a correct copy of the questions put by me to John Murray, and the answers received from him; and stated, moreover, my principal reason for having interrogated the boy, which is the only explanation I could possibly be expected to give, so long as I believed myself to be innocent of the violation of the rule in question.

I now furnish you with a copy of said letter, dated 24th May 1871. They also to remind the governors that they were aware of my intention to give that explanation, from my letter to you as commandant, dated 10th May 1871.

Fourthly, I object to the sentence, because, even if I were guilty of the violation of the rule (which I do not admit), it would be necessary for the governors to prove that I am bound to observe this rule, and am subject to the penalties threatened for its violation. In order to assist them in forming a correct opinion on this matter, I beg to inform them that my appointment as Catholic chaplain dates from 1st October 1859, and that the letter of my appointment contains no stipulation that I am to be bound by every new rule which the governors may enact in future; and a rule has very lately been enacted, regulating my conduct, which I have felt myself obliged in conscience to violate as often as the necessity required. For instance, on the 17th April of the present year, I was threatened with dismissal by a resolution of the governors if I attempted to hear a child's confession, or to administer the sacrament of Extreme Unction to a dying boy, or inmate of the institution; and who will say that I was ever bound to observe the rule laid down for my conduct in that resolution?

If, therefore, I am not bound by a rule made on the 17th April 1871, it will be for the governors to prove that I am bound by a rule made by the same board of governors on the 21st August 1863, or nearly four years after my appointment.

I have, therefore, merely to remark, first, that I do not resign my position as Roman Catholic chaplain, or as "Roman Catholic officiating clergyman" of the Royal Hibernian Military School, or my right to my salary; secondly, that I will be prepared for the due performance of my duties in that institution so long as his Eminence the Cardinal Archbishop of Dublin gives me the necessary "facilities" for the performance of my spiritual duties there. At the same time I wish to inform the governors that I do not shrink from an investigation relative to my alleged violation of "Rule No. 16," or to any other act of mine during my 11 years and nine months' chaplaincy, provided that the investigation be

he conducted according to the usual mode of similar investigations when ordered by the Poor Law Commissioners or other public bodies in this country.

It appears that the sentence of dismissal is impending ever since the 1st of March 1871, according to the commandant's letter of the 9th May. Now, with regard to that severe and unusual sentence upon an officer of the institution, I have, firstly, to remark, that it was not imposed for any omission of my duties, as the governors themselves admit.

Secondly. That the first notice given to me of my accusation, conviction, and sentence of dismissal, on the 1st of March last, as "recommended" by the "Committee of Seven," on account of my "persistent transgression of the Limits of my office," was contained in the commandant's letter of the 27th April, covering a "resolution" of the governors assembled in general meeting on the 17th of same month, or some 58 days after the sentence was pronounced.

Thirdly. That I wrote to the commandant on the 10th of May requesting him to "ask" the Governors to furnish me with the dates and particulars of such systematic and persistent interference with matters outside the duties of my office, as I really cannot "admit that I was guilty of such conduct, and possibly I may be able to explain the unfavourable reports made to the governors relative to me." I even went farther, and added, "should they (the governors) supply me with the dates and particulars just referred to, I will be able to do so." The receipt of the letter, from which the above two extracts are taken, was acknowledged by the commandant on the 12th ult., but whether it was submitted to the governors or not I cannot say, as I never received a formal reply to that rather important communication.

Fourthly. That I am still prepared to answer for my conduct, if the governors wish to have it investigated, and even upon oath, as they are empowered to do by their Charter, as I cannot really understand what my offences are, unless that for some time back I have made some efforts to prevent the Catholic children of Catholic soldiers from being illegally registered as Protestants in the institution, a matter which is expressly forbidden in the Charter; or that I endeavoured to prevent the present commandant from causing some 100 or 150 Catholic children to join in a portion of the Protestant Communion Service, which he actually caused them to do on several occasions in the years 1863, 1864, 1865, and 1866; or that I remonstrated against his depriving the Catholic children of their religious objects, such as "Agnus Dei," "crosses," and "medals," on public parades in the presence of their Protestant companions; or that I raised my voice against the hospital sergeant removing a cross from the neck of a sick boy in hospital, without any authority whatsoever; or that I would not approve of boys reading such books as *The Children's Missionary Record*, in which they are told that "Popery is the most perfect contrivance of the Devil for leading souls to hell," &c. &c.; or *Giddy's Series*, in which it is stated that "the Church of Rome had allowed gross faults to creep into her system," and in which other false and insulting passages are scattered broadcast, and which these poor children are obliged to use in their school-rooms; or that I would not permit myself to be accused and convicted by the surgeon, and punished by the commandant, for a crime somewhat akin to homicide, and alleged to have been committed by me in the hospital, on a day when I really was not within four miles of the institution.

The investigation concerning this report is still pending, and I beg to inform you, and through you, the governors, that, although my last letter on this subject, dated 3rd February, has not yet been replied to, the most remarkable and extraordinary portion of the evidence has yet to be brought before the authorities of the school.

In conclusion, you will please inform the governors that all I ask is an impartial and searching investigation into all or any of my alleged offences during my long term of chaplaincy to the institution. I, therefore, most respectfully, but, at the same time, most earnestly request, that the governors will at least suspend their sentence of dismissal, pending said investigation, if they do not at once cancel or reverse their decision altogether, on account of the additional evidence in this communication, as I am scarcely imaginable that the governors could have really understood all the bearings of the alleged offence when they passed the "resolution" ordering my dismissal with less than 15 days' notice, on such very slight and slender grounds, after so lengthened a period of service.

I have, &c.

(signed) John Leonard, Catholic Chaplain,
Royal Hibernian Military School.

The Commandant,
Royal Hibernian Military School.

P.S.—The governors will please remember that either the originals or copies of all communications, &c. &c., referred to above, are now in the hands of the commandant. The certificate of the baptism of John Murnane in the Catholic church is in the office of the institution since October last, according to the mother's statement, and that of Hugh in same church was forwarded to the Lord Lieutenant in May of the present year. A copy of the Widow Murnane's "declaration" as to the wish of her husband relative to the religious education of his children, and of her own wishes on the same subject, was forwarded to the commandant on the 6th instant.

(signed) J. L.

COPY of LETTER dated Dublin Castle, 2nd May 1871, from the Under Secretary to the Rev. *J. Leonard*, will be found in Papers No. 5.

COPY of LETTER dated St. Mochta's, Clonsilla, 24th May 1871, from the Rev. *J. Leonard* to His Excellency the Lord Lieutenant, will be found in Papers No. 5.

The Commandant to the Reverend *J. Leonard*.

Royal Hibernian Military School,
27 June 1871.

Reverend Sir,

I HAVE had the honour to lay before the Governors of the Royal Hibernian Military School, in General Meeting this day, your letter of the 20th instant, with its enclosures as per margin, and I am directed to acquaint you that the Governors see no reason to rescind the decision of the Board on the 15th, communicated to you in my letter of 16th instant.

Printed Letter from Reverend Sir. Leonard to the Comd.
23 May 1871.
Copy of Letter from Mr. Smith to Reverend Sir. Leonard,
2 May 1871.
Copy of Letter from Reverend John Leonard to His Excellency
the Lord Lieutenant, 24 May 1870. (See.)

I am, &c.

(signed) *Henry Wynyard*,
Lieutenant Colonel Commandant.

The Very Rev. Dr. Leonard.

Reverend *J. Leonard* to the Commandant.

St. Mochta's, Clonsilla, County Dublin,
29 June 1871.

Sir,

I HAVE the honour to acknowledge the receipt of your letter of the 27th instant, to the effect that the Governors see no reason to rescind the decision of the Board on the 15th, communicated to me in your letter of the 16th instant, relative to my dismissal.

In reply, you will please inform the Governors that I cannot think of resigning my position as Catholic Chaplain, or Roman Catholic Officiating Clergyman to the Royal Hibernian Military School, or my right to the salary attached thereto, so long as the Governors refuse me the impartial and searching investigation asked for in my letter of the 22nd instant, concerning which your letter is altogether silent.

His Eminence, the Cardinal Archbishop, has already intimated to you that he will neither appoint nor nominate a person to succeed me in the office I held in the Institution for the last 11 years and nine months, and I beg to inform the Governors that I will be prepared for the due performance of my duties there, should the Governors refuse me access to the Institution for the discharge of my duties.

His Eminence desires me to say, that he will permit the Rev. Thomas Curran (who occasionally supplied my place when I was unable to attend) to look after the spiritual interests of the children, lest they should in any way suffer whilst an appeal regarding my dismissal is being made to another tribunal.

I have, &c.

(signed) *John Leonard*,
Catholic Chaplain.

The Commandant,
Royal Hibernian Military School.

COPY of CORRESPONDENCE between the Widow Murnane and the Commandant, relative to her wishes regarding the Change of the Religious Registration of her Children in said School, and of her Declaration made before a Magistrate on the 6th day of March 1871.

Widow Murnane to the Commandant.

Sir,

Dublin, 5 June 1871.

I HAVE the honour to request that the religious registration of my sons John and Hugh Murnane, for some time pupils of the Royal Hibernian Military School, be changed from "Protestant" to "Roman Catholic," first, because they, as well as my other children, were baptised in the Catholic church, according to their father's wish, and with my full consent, as their baptismal certificates, already in your, or the Lord Lieutenant's hands, will testify; secondly, because they were always reared as Catholics previous to the day of their admission into the Royal Hibernian Military School; thirdly, because I promised my husband, three days before his death, that I would put the above-mentioned boys into the Royal Hibernian Military School as Catholics; fourthly, because I sincerely regret my violation of that promise, and did so only because I did not fully understand their right to have been received as Catholics; fifthly, because their father was a Catholic, and wishes his children to be reared as Catholics.

In conclusion, I beg to inform you that, by a "declaration" made before a magistrate, which has been already forwarded to the president of the institution, I gave authority to the Very Rev. Canon Brock, P.P., Arran-quay, and Catholic Chaplain of the North Dublin Union Workhouse, under whose care the said boys were, as Catholics, from the day they arrived in Dublin till they were received into the institution, excepting from the 10th to the 16th November 1870, and the Rev. John Leonard, Catholic Chaplain of the Royal Hibernian Military School, to have their religious registration altered, and that I now authorise the Rev. John Leonard to carry on any correspondence that may be necessary to have my wishes regarding my children carried into effect, as I am unable to read or write, and cannot conveniently get any other person to write for me.

The Commandant,
Royal Hibernian Military School.

I have, &c. her
(signed) Bridget x Murnane.
mark.

Witness,
Michael Donovan, c.c.

P.S.—John's certificate of Catholic baptism is in your hands already.
Hugh's - ditto - ditto - in the hands of the Lord Lieutenant.
Bridget's - ditto - ditto - ditto - ditto.
Mary's - ditto - ditto - ditto - ditto.
James's - ditto - ditto - is herewith forwarded.

(True copy.)
(signed) F. B. Speedy, Lieut. Colonel,
Secretary, Royal Hibernian Military School.

I CERTIFY that James Murnane, son of John Murnane (88th Regiment) and Bridget Hayes, was baptized in the Catholic church of Templemore on 2nd of October 1836.

(signed) Thos. O'Connor, P.P.,
Templemore, 27 May 1871.

(True copy.)
(signed) F. B. Speedy, Lieut. Colonel,
Secretary, Royal Hibernian Military School.

The Commandant to Mrs. Murnane.

Mrs. Murnane,

Royal Hibernian Military School,
Phoenix Park, Dublin, 8 June 1871.

IN reply to your letter of 5th instant, I regret to inform you that your request, that the religious registration of your two sons in the Royal Hibernian Military School should be changed from Protestant to Roman Catholic, cannot be complied with, as you entered them Protestants on placing them here, and the rules of the School expressly forbid the change.

(signed) *H. Wyngard*,
Lieutenant Colonel, Commandant.

(True copy.)

(signed) *F. B. Speedy*, Lieut. Colonel,
Secretary, Royal Hibernian Military School.

COPY of Widow Murnane's DECLARATION before a Magistrate will be found with Papers No. 5, attached to Rev. Mr. Leonard's letter of 14th March 1871, to His Excellency.

— No. 8. —

COPY of CORRESPONDENCE between His Eminence Cardinal Cullen and the Commandant relative to the Dismissal of the Catholic Chaplain.

The Commandant to the Secretary to Cardinal Cullen.

Reverend Sir,

Royal Hibernian Military School,
Phoenix Park, Dublin, 16 June 1871.

I HAVE the honour to transmit herewith, for the information of his Eminence the Cardinal, copy of a resolution passed by the Governors of the Royal Hibernian Military School in general meeting yesterday, to dispense with the services of the Rev. John Leonard at the termination of the present quarter; and by direction of the Board, I am to request his Eminence will have the goodness to favour me with the name of the clergyman whom his Eminence may desire should succeed to the appointment of officiating Roman Catholic clergyman to the institution from the 30th inst.

I am, &c.

(signed) *Henry Wyngard*, Lieutenant Colonel,
Commandant, Royal Hibernian Military School.

To the Very Rev. the Secretary to
His Eminence the Cardinal Archbishop.

COPY of a RESOLUTION passed by the Governors of the Royal Hibernian Military School, in General Meeting, at the Royal Hospital, Kilmalsham, on the 15th June 1871.

"That, as the Rev. Mr. Leonard has neglected to furnish the explanation called for in the letter of the Commandant of 23rd March 1871, and bearing in mind the lenity and forbearance with which the Reverend Gentleman has on former occasions been treated, unfortunately with no good result, as exemplified by his letter of 5th June 1871,—his longer continuance as officiating Roman Catholic clergyman in the Royal Hibernian Military School is inconsistent with the well-being and proper maintenance of discipline in that institution, and the services of the Rev. Mr. Leonard be dispensed with at the termination of the present quarter."

"Adopted."

(A true copy.)

(signed) *F. B. Speedy*, Lieutenant Colonel,
Secretary, Royal Hibernian Military School.

11 August 1871.

His Eminence the Cardinal to the Commandant.

Sir,

30, Beccles-street, 27 June 1871.

* 19th.

A LETTER addressed by you on the 15th* of the present month, to my secretary, was handed to me some days ago.

I have learned from that letter that the Governors of the Royal Hibernian Military School had determined to dismiss the Rev. Dr. Leonard from the office he holds therein, and it informs me that you request that I should send the name of a clergyman whom I might wish to have substituted in the place hitherto held by the above-mentioned gentleman in the Royal Hibernian School.

Before answering your letter I considered it a conscientious duty to communicate it to Dr. Leonard, lest I should inflict an injury on a respectable clergyman, or condemn a meritorious labourer in the vineyard without giving him an opportunity of explaining and defending his conduct. Being persuaded that he had not done anything wrong, the Rev. Dr. Leonard immediately undertook to justify himself, and he has since communicated to me the outlines of his defence in a letter addressed to you.

I have the honour to forward to you a copy of this document, begging of you to bring it under the consideration of the Governors of the Royal Hibernian Military School. I am persuaded that if they examine the case as explained in this letter, their known sense of justice will induce them to recall their decision. As for me having read the Rev. Dr. Leonard's defence, I have been forced to come to the conclusion that the proceedings against him have not established any substantial breach of duty, or want of respect to authority on his part, whilst they do not appear to have been conducted in a form calculated to secure to him that legitimate right of defence which is granted to the lowest of Her Majesty's subjects.

In these circumstances I do not think it necessary to send the name of a clergyman to be substituted in the place of the Rev. Dr. Leonard, inasmuch as I am confident that the wisdom and justice of the Governors of the Royal Hibernian Military School will cause them to admit that so severe a punishment and so degrading a censure should not be inflicted on a zealous and hardworking chaplain who had faithfully served that institution for 12 years, and whose only fault it appears to have been that he was active and persevering in his efforts to have the children of Catholic soldiers brought up in the religion of their fathers.

I have, &c.

(signed) *Paul Card. Cullen.*

To the Commandant,
Royal Hibernian Military School.

LETTER dated 22nd June 1871, from Rev. J. Leonard to the Commandant, will be found with Papers No. 6.

The Commandant to His Eminence the Cardinal.

Royal Hibernian Military School,
Phoenix Park, Dublin, 27 June 1871.

Your Eminence,

* 27 June 1871.

I HAVE had the honour to lay before the Governors of the Royal Hibernian Military School your letter to me of this date,* and I am directed by the Board in reply to communicate to your Eminence the enclosed resolution with the expression of the Governors' regret that they cannot concur in your Eminence's views.

I have, &c.

(signed) *Henry Wynyard,*
Lieutenant Colonel, Commandant.

To His Eminence Cardinal Cullen,
&c. &c.

COPY of a RESOLUTION passed by the Governors of the Royal Hibernian Military School, in General Meeting, at the Royal Hospital, Kilmalsham, on 27th June 1871.

1. IN reference to Minute No. 1 of the 15th instant, to submit as follows:—

Resolved—“The documents specified in the margin having been read and considered, the Governors see no reason to rescind the decision of the Board on the 15th instant.”

The Commandant will be pleased to communicate the above Resolution to the Cardinal, with the expression of the Governors' regret that they cannot concur in his Eminence's views.

The Commandant will also acquaint the Rev. Mr. Leonard with the Board's decision.

Letter from the Commandant to the Rev. Mr. Leonard, 24th June 1871.

Letter from the Rev. Mr. Leonard to the Commandant, 20th June 1871, with the following enclosures (A), (B), (C):—

(A.) Printed letter from the Rev. Mr. Leonard to the Commandant, 20th June 1871.

(B.) Copy of letter from Mr. Burke to Rev. Mr. Leonard, 2nd May 1871.

(C.) Copy of letter from the Rev. Mr. Leonard to His Excellency the Lord Lieutenant, 24th May 1871 (sic).

Letter from His Eminence Cardinal Cullen to the Commandant, 27th June 1871.

(True copy.)
(signed) F. B. Speedy, Lieutenant Colonel,
Secretary, Royal Hibernian Military School.

27 June 1871.

His Eminence the Cardinal to the Commandant.

Sir, 59, Eccles-street, 1 July 1871.

I REPLY that you and the Governors of the Royal Hibernian Military School have not listened to the conciliatory suggestions made in my letter of the 27th June.

It appears useless for me to write any more on the matter, as it will now probably become the subject of public discussion and of Parliamentary debate. However, to remove any doubt about the course I intend taking, I beg in reply to your letter of the 27th June, to refer you to the last paragraph of a letter addressed to his Excellency the Lord Lieutenant on the 31st of last May, as I intend to adhere to and to act on the opinions therein expressed.

His Excellency kindly acknowledged my letter on the 6th June last past, and said he would refer it to the Board of the Royal Hibernian Military School. I presume, therefore, it is in your hands, but I must add that as yet I have received no answer to the demands which it contained.

I have, &c.
(signed) *Paul Card. Cullen.*

To the Commandant of the
Royal Hibernian Military School

The Commandant to His Eminence the Cardinal.

Royal Hibernian Military School,
Phoenix Park, Dublin, 6 July 1871.

Your Eminence,

I HAVE had the honour to submit to the Committee of Governors of the Royal Hibernian Military School your letter to me of the 1st instant, and, in reference to the concluding paragraph, I am by their direction to acquaint your Eminence that your letter of 31st May last to the Lord Lieutenant having (together with Mr. Burke's letter of 9th June covering it) been before a special general meeting of the Governors on 15th June, is not in my hands, but was returned on the following day (16th ult.) with a full Report thereon to the vice-president of the institution.

I am further directed to request that your Eminence will have the goodness to acquaint me with the name and address of the clergyman whom your Eminence may wish should give religious instruction to the Roman Catholic pupils and celebrate divine service here until the appointment of "officialising" Roman Catholic clergyman to the institution shall have been decided on.

I have, &c.
(signed) *Henry Wynyard*, Lieutenant Colonel,
Commandant, Royal Hibernian Military School.

To His Eminence Cardinal Cullen,
59, Eccles-street, Dublin.

His Eminence the Cardinal to the Commandant.

Sir,

59, Eccles-street, 6 July 1871.

I HAVE the honour to acknowledge the receipt of your communication of this date. I regret that in the present circumstances of things I cannot comply with the request contained in the last paragraph of it. The reasons which prevent me from doing so have been stated in my letter of the 31st of May last, addressed to his Excellency the Lord Lieutenant, and it is not necessary to repeat them, especially as I am still expecting an answer to my statements in that letter.

Regretting again that I cannot accede to your wishes, as I would be happy to do, were I not called on to sacrifice principle, and to concur in punishing, without a fair trial, a laborious and well-meaning clergyman,—

I have, &c.

(signed)

Paul Card. Cullen.

To the Commandant of the
Royal Hibernian Military School.

His Eminence the Cardinal to the Commandant.

Sir,

59, Eccles-street, 7 July 1871.

IN the letter which I wrote to you yesterday I stated that I was expecting an answer to a communication addressed by me to the Lord Lieutenant on the 31st May last. You will now allow me to add that since I wrote yesterday, I have had the honour of receiving a reply from his Excellency which gives me ground to hope that every question connected with the Hibernian Military School will be brought to a satisfactory termination.

In my hurry when writing yesterday I did not advert to the meaning of the last paragraph of your letter. To supply that defect, I now beg to state that the Rev. Thomas Curran, Catholic Curate of Blanchardstown, who resides at Castleknock, is the clergyman whom I deputed to say mass to the boys in the Royal Hibernian Military School, until the question regarding Rev. Dr. Leonard shall be settled. The Rev. Thomas Curran will be in attendance at seven o'clock on Sunday, but as it is vacation time, I presume he will not be expected to attend during the week.

I have, &c.

(signed)

Paul Card. Cullen.

To the Commandant of the
Royal Hibernian Military School,
Phoenix Park.

HENRY WYNYARD, Lieutenant Colonel,
Commandant, Royal Hibernian Military School.

ROYAL HIBERNIAN MILITARY SCHOOL
(DUBLIN).

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